

MASS. EAL: C33/2 ✓

The Commonwealth of Massachusetts

Executive Office of Environmental Affairs

100 Cambridge Street, Boston, 02202

WILLIAM F. WELD
GOVERNOR

June 19, 1991

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SECRETARY

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS
ON THE
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : MBTA 1991 Fare Increase
PROJECT LOCATION : MBTA Service District
EOEA NUMBER : 8684
PROJECT PROPONENT : Massachusetts Bay Transit Authority
DATE NOTICED IN MONITOR : May 8, 1991

Pursuant to the Massachusetts Environmental Policy Act (G. L., c. 30, s. 61-62H) and Sections 11.04 and 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that the above project requires the preparation of an Environmental Impact Report.

INTRODUCTION

The Massachusetts Bay Transit Authority (MBTA) has filed an Environmental Notification Form (ENF) for a proposed fare increase. The proposal is to increase fares by an average of 20.7 percent systemwide. The last fare increase was in 1989. The 1989 and 1991 fare increases together result in a systemwide increase in excess of 30 percent over three years and are expected to lead to a decrease in transit ridership of 43,000 trips a day.

The proposed 20.7 percent increase is expected to raise revenues by an additional \$21 million a year. The increase will affect fares on local buses, the subway, and commuter rail. It will also raise fares for senior citizens and persons with disabilities. The increase will affect hundreds of thousands of citizens, from Duxbury to Ashland to Manchester, who live and visit in the MBTA District and use public transportation. The MBTA estimates that as many as 43,000 transit trips will be diverted as a result of the increase. While some of those trips may just never be made, the vast majority of the diverted transit trips will require former transit riders to get into their automobiles and join the millions of other vehicles already on

the highways and city streets of the metropolitan Boston area.

The MBTA states in the ENF that this fare increase is necessary because of continuing decreases, either relative or absolute, in other sources of funding. I understand that given the current fiscal crisis facing the Commonwealth, contributions from the General Fund are expected to be decreased. With no ability to increase the federal or local shares, and since other sources of revenue do not currently exist, the MBTA has proposed this increase in fares to avoid significant cuts in service. The MBTA agreed to an extension of the review period for the ENF in order to present additional material on what service cuts would be required if the fare increase were delayed. That material is available for review at the MEPA office or may be obtained from the MBTA.

There is no dispute that Massachusetts has a serious air pollution problem. The entire state is classified as nonattainment for ozone; numerous metropolitan areas in the Commonwealth are classified as nonattainment for carbon monoxide. Governor Weld recently designated Massachusetts' condition of non-attainment as "serious" within the meaning of the 1990 amendments to the federal Clean Air Act. That designation means that the Commonwealth will have to implement numerous stringent measures to reduce emissions of those pollutants so that the state will be brought into compliance by the year 2000. We must be extremely cautious about any activity that will lead to an increase in emissions of carbon monoxide, hydrocarbons and nitrogen oxides because it will just mean having to impose even stricter measures to achieve the reductions elsewhere. The more mobile source emissions increase, the more reductions will have to be squeezed from stationary sources, such as dry cleaners, autobody painting businesses, and the like.

The ENF states that daily emissions of hydrocarbons will increase by 0.42 percent in the metropolitan Boston area as a result of this fare increase. That may appear trivial, but in light of the fact that the Clean Air Act will require that emissions decrease by 3.0 percent a year, 0.42 percent is a significant increase, and will have to be offset by reductions elsewhere.

In my view, the potential environmental impacts of the fare increase are significant. I am therefore requiring that an EIR be prepared. As I will discuss in greater detail below, however, in light of the impact that a delay in implementation of the increase would have on the MBTA's ability to maintain levels of

service, it is my judgment that the environment is better served by allowing the increase to go forward prior to submission of the EIR. This judgment is based on my assessment of the facts presented by the MBTA describing the service cuts that would be required if the fare increase were delayed. In addition, it is my intention that this EIR go beyond a simple study of the impacts of this fare increase and support a genuine effort to develop funding alternatives to fare increases, so that the MBTA fares and other revenue sources support a transit system attractive to transit riders, since their trips benefit the environment by reducing the number of cars on the road.

During the public comment period for this project, there has been much debate about whether this fare increase is "categorically included" for preparation of an EIR pursuant to 301 CMR 11.25(19). Many commentators have argued that the fare increase will generate in excess of 3000 new vehicle trips daily, thus falling squarely within the requirements of that regulation. The MBTA maintains that 11.25(19) applies to the construction of facilities such as office buildings and shopping centers that are trip "generators" within the strict definition of the Transportation Research Board's Urban Public Transportation Glossary.

I need not decide this question today. As I have indicated, I believe that the potential environmental impacts of this action are significant enough to require the preparation of an EIR regardless of whether it is categorically included or not. Moreover, it is my judgment that if the project were categorically included, requiring the completion of the EIR prior to implementation of the fare increase would cause an undue hardship to the public because service would have to be cut and, under the conditions I will set forth herein, would not serve to minimize or avoid environmental harm. Indeed, it is my belief that this EIR will bring about environmental benefits greater than those that would be achieved by requiring a fare increase EIR prior to implementation. Thus I believe that the requirements set forth in 301 CMR 11.18 for granting a waiver of that requirement would be met in this case.

I am mindful of the opportunities for public comment afforded by the MEPA regulations under the waiver procedure for categorically included projects. It is my intention to provide as much opportunity for public comment as the waiver procedures would allow. Therefore, I am publishing this document as a Proposed Certificate in the Environmental Monitor for a 14 day

public comment period. At the close of that comment period, I will issue my Certificate in final form. The MBTA's agreement to an extension of the review period for the ENF has accommodated this procedure.

The purpose of this Proposed Certificate is to present my proposed judgment on why and under what conditions it would be appropriate to allow the fare increase to go into effect prior to the completion of the EIR. I invite comment on this issue.

As described in the ENF, the MBTA has five sources of funding: 1) contributions from the federal government; 2) contributions from the 78 cities and towns that are members of the MBTA service district; 3) miscellaneous non-fare sources of revenue, such as advertising, parking fees, and the like; 4) contributions from the General Fund; and 5) fares. Of these sources, the federal share has decreased from 11 percent in 1980 to 3.5 percent at present, and local assistance has decreased from 34 percent in 1981 to 20.7 percent at present as a result of the Proposition 2 1/2 cap. Non-fare revenues have tripled since 1984, but still amount to a very small percentage of the MBTA's annual budget. Even with the 1989 fare increase, appropriations from the General Fund have increased by 12.4 percent a year.

According to the material submitted by the MBTA to the MEPA Unit on June 13, 1991, the service cuts that would be required in response to reductions in state aid would lead to greater adverse impacts on air quality, because they would cause a greater diversion of transit riders to automobiles. In order to save \$21 million, the MBTA could either eliminate certain services altogether or reduce service systemwide. In the first case, elimination of 57 of the 153 bus routes operated by the MBTA would generate a net savings of \$20 million. These routes carry 80,000 riders a day. Thus the loss in ridership would be almost double what is predicted with the proposed fare increase.

The second scenario for service cuts described by the MBTA is that they be made across the board. The result of such cuts on the bus routes would be a much greater percentage of people standing on buses or being bypassed by buses at peak travel times, and much longer waits between buses (30 - 60) minutes instead of 15 - 30 minutes) at off-peak hours. Increasing headways for the subway, closing some station entrances, reducing overall hours of service, and providing buses for some portion of rapid transit routes are examples of service cuts that would have to be implemented if fares are not increased. According to the MBTA, service cuts of this nature would result in diversion of

over 60,000 riders to auto use. The service cuts would therefore lead to more cars on the road, and therefore more air pollution, than the proposed fare increase.

Although the service cuts have not been described with the specificity that would be necessary if they were actually going to be implemented, I find persuasive the basic point that more riders would switch to cars as a result of service cuts than a fare increase. Moreover, the possibility that a significant number of bus routes would be completely eliminated, with not only environmental consequences, but social and economic consequences as well, is unacceptable. It is my judgment that service cuts of this nature would work an undue hardship and result in significant adverse impact on the environment, and especially on air quality, because many citizens who have relied on transit would have to make their trips by car. I believe that more transit trips would be lost if service were cut than if fares were raised. Therefore I will not hold up the fare increase pending the preparation of the EIR.

However, although I propose to allow the preparation of the EIR to occur after the fare increase is implemented, I am requiring that prior to the implementation of the fare increase, the MBTA take all feasible steps to minimize the loss of ridership, the increase in car trips, and the resultant air quality impacts that are expected to result from the increase. Within seven days of the publication of this Proposed Certificate, therefore, the MBTA must prepare and submit an Impact Minimization Report that outlines measures the MBTA will take, prior to or at the time of instituting the fare increase, that will serve to minimize loss of ridership and increased air pollution. The report should identify those areas where ridership loss is expected under each of the two fare structure options and identify measures, such as those suggested in Section IV of the Conservation Law Foundation (CLF) comments and those of Charles Bahne, that will be implemented. For mitigation measures that cannot feasibly be implemented prior to the fare increase, an implementation schedule should be provided. This Impact Minimization Report will enable the public, and myself as well, to reach a judgment as to which of the alternative fare structures is preferable from an environmental standpoint; that is, in terms of the net environmental effects of the mitigated fare increase on minimizing the number of new auto trips that will be initiated as a result of the fare increase.

In addition, because passenger counts must be taken prior to implementation of the fare increase to provide a baseline for

evaluating the impacts of the increase, the MBTA should accompany the Mitigation Report with a report detailing its proposed method for making those counts and ridership estimates, by mode and service type.

Finally, it is my intention that this EIR address more than the specific environmental impacts of the fare increase proposed in the ENF. It is essential that the MBTA review the impacts of the current fare increase proposal in the context of long-term fare policy and financing issues. I am aware that the MBTA has been directed to prepare a long-term fare policy document in the past. Unfortunately, prior documents have not been successful in addressing and making progress towards resolution of the key policy questions that are the focus of debate. Previous EIRs have not enunciated clear policies on how and when fares would be increased, of mitigation measures that can be implemented to minimize the loss of ridership, and of alternative sources of funding, dedicated to the cost of operating the MBTA system and not so dependent on the year-to-year results of the budget process. The EIR required by this Certificate should be that document. The MBTA's willingness to focus on these issues in a serious way and move the process forward will bring about environmental benefits in excess of those that would be achieved by the preparation of an EIR focussed on the impacts of the proposed fare increase alone.

With the satisfactory completion of these two conditions, i.e., the submission of an Impact Minimization Report and the completion of an EIR that will address the long term policy questions and provide a framework for development of those policies and for future decision-making, I believe that the environmental impacts of this fare increase will be minimized and greater environmental benefits will ultimately be realized than if the EIR were to be prepared prior to the implementation of the fare increase and anticipated service cuts were to go into effect.

It is my clear expectation that within approximately one year, the MBTA will have prepared and adopted a Fare Policy that provides guidance and standards for proposing and implementing future fare increases and will have significantly advanced the search for alternative sources of funding. It is based on this expectation that I can agree to implementation of the increase prior to completion of the EIR. Therefore, if within fifteen months of the date of my Final Certificate on the ENF, the MBTA has not submitted a Final EIR which I have found to be adequate, the fares shall be rolled back to their May 1991 levels.

SCOPE

The EIR should follow the outline contained at 301 CMR 11.07, as modified by this scope. It should contain a copy of the Final ENF Certificate, as well as the comments received on both the ENF and this Proposed Certificate. It should respond to those comments, either directly, or in such a way that a commentor can readily discern the response.

I. Impacts of the Proposed Fare Increase

This section of the EIR should lay out a three step analysis of the environmental impacts of the fare increase.

A. Ridership Impacts

The EIR should analyze the impacts on ridership of the fare increase. Using the methodology for passenger counts and ridership estimates developed pursuant to the procedure specified above, and using the pre-fare increase counts as baseline data, the EIR should quantify the loss of ridership experienced as a result of the fare increase. Post-fare increase counts should be taken at six months and one year. The outline used by the MBTA for the 1989 Revenue and Service EIR is a helpful guide to the factual information required for this assessment. Measurement of ridership before and after the increase should be done at comparable periods of time for each mode, and must include special services such as express and zoned buses. The analysis must lay out the assumed costs of alternatives to fare increases, e.g., the costs associated with automobile travel.

Numerous commentors have requested that an analysis of the socio-economic impacts of the fare increase be included in the EIR. I agree that evaluation of the effect of the fare increase on different economic and social groups is warranted, especially given the proposed increases in bus fares and fares for elderly and handicapped riders.

B. Environmental Impacts

The EIR should include an analysis that translates ridership loss into new automobile trips produced, along with estimates of the character (e.g., length, route) of such trips. The EIR should then evaluate the effect of these new trips on air quality.

The air quality impacts of this increased vehicle usage

should be described, for all relevant pollutants, through both mesoscale and microscale analysis, as appropriate. The MBTA should consult with the Department of Environmental Protection/Division of Air Quality prior to and during the preparation of the air quality analysis.

D. Mitigation Measures

This portion of the report is critical, if the goals described in the 1989 Service and Revenue EIR are to be achieved. One of those goals was that no fare increase should cause a loss of ridership of more than 5%. A second goal was that the cost of public transportation remain competitive with that of automobile use. Adjusting the fare structure, or implementing other creative measures to retain riders may be necessary.

The EIR should continue the discussion that will begin in the Impact Minimization Report called for in the introduction to this Certificate. The effectiveness of the mitigation measures implemented prior to the fare increase should be reported. Additional measures should be analyzed and a commitment and schedule for implementation be included.

II. Comprehensive Fare Policy

The Certificate on the Final Revenue and Service EIR required that a comprehensive fare plan, which the MBTA Advisory Board had asked the MBTA to prepare, be filed with the MEPA Unit by way of a Notice of Project Change prior to the filing of an ENF for another fare increase. Because the fiscal situation in the first six months of 1991 has been much worse than was expected, this fare increase has been proposed earlier than it otherwise would have been. As a result, this proposed fare increase has preceded the filing of that fare plan. I require that the fare plan be included in the DEIR.

In addition to technical issues, such as transfers and intermodal usage, advanced fare collection equipment and the like, the fare plan should address policy issues pertinent to fare increases, including scheduling and frequency of fare increases, indexing of fare increases to the cost of automobile use, identification of predictable factors that would trigger a fare increase, and the public process to be used by the MBTA to notify and take comment from the public on future proposed increases. The fare policy should also present a viable proposal for mitigation of ridership losses of a given magnitude for

future fare increases. In other words, if a fare increase decreases ridership by more than a certain identified amount, what mitigation measures would be implemented? The Draft EIR should present the overall fare policy that the MBTA is recommending that the MBTA Board of Directors adopt. After receipt of the comments submitted, the Board of Directors should proceed to adopt a fare policy, which should be included in the Final EIR. If the current increase is inconsistent with any of the policies established by this fare plan, the MBTA should indicate how it will modify the fare structure or implement other measures to correct that inconsistency.

The purpose of the fare policy document is to set out objective criteria and clear policies that the MBTA will follow in proposing and implementing future fare increases. If it is successful, it will make unnecessary the preparation of EIRs for future increases.

III. Alternatives to Increasing Fares

The 1989 Revenue and Service EIR declared in several places that a serious effort should be made to identify alternative sources of funding for the MBTA system, including dedicated sources of funding. I intend that the EIR that I am now requiring be prepared as a key instrument to advance that effort, by providing analysis and recommendations. I recognize that the MBTA on a daily basis is pursuing ways to cut costs and improve efficiency of the system. The EIR should discuss these ongoing steps and any others that the MBTA can take unilaterally to cut costs, improve efficiency, decrease fare evasion, etc. The comments filed on the ENF contain numerous specific suggestions for alternatives that should be considered.

Some of these alternatives clearly are not within the control of the MBTA. For these, the EIR should indicate the process and the participants that would be necessary to carry them forward. I emphasize, however, that the fact that a particular alternative is not within the control of the MBTA does not absolve the MBTA of its obligation to discuss it seriously in the EIR. The discussion should include an analysis of funding sources used by public transit systems in other metropolitan areas. An evaluation of the costs and benefits of various alternative funding sources should be included. The EIR should also analyze the environmental impacts of the funding alternatives so that comparisons can be made among them. Finally, the EIR should make a recommendation as to which

alternative, or combination of alternatives (no matter under whose control) should be pursued.

IV. Miscellaneous

A. Revenue and Service Advisory Committee (RSAC)

As indicated in the Certificate on the FEIR for the last fare increase, the RSAC should continue to function and provide comment to the Secretary of Environmental Affairs on future filings, including the EIR and other documents ordered today. I expect the MBTA to consult regularly with the RSAC during the preparation of the various documents required by this Certificate and to provide copies of formal submissions to the RSAC at least 15 days prior to submission to the MEPA Unit.

B. Timing of Submissions

The analyses to be presented in the EIR will be of greater value if they are completed quickly. Thus I require that the DEIR be submitted approximately six months after the implementation of the fare increase (it should include the results of the first post-increase ridership count). The FEIR should be submitted approximately six months after submission of the DEIR (it should include the results of the second post-increase count).

C. Future Adjustments to Fare Structure or Mitigation

Adjustments to the fare structure or the need for additional mitigation shall be triggered by either of two circumstances: the indexing policy developed as part of the Fare Policy document demonstrates that the fare structure is not competitive with the cost of driving an automobile, or the ridership counts taken at the end of the first year of the increase show that ridership has decreased by more than 5 percent. In either case, the MBTA shall propose, within 90 days of either a determination that the fare structure is inconsistent with the indexing policy or a finding that ridership has decreased by more than 5 percent, a method to restructure fares or provide additional, effective mitigation that will correct the situation.

There shall be no additional increases in fares beyond the fare increase proposed by this ENF or increases in fees at MBTA parking facilities until the FEIR has been found to be adequate.

If within fifteen months from the date of my Final Certificate on the ENF, the MBTA has not submitted a Final EIR which I have found to be adequate, the fares shall be rolled back to their May 1991 levels. This deadline allows for some reasonable slippage in the filing schedule set forth above.

D. Circulation

Copies of the EIR should be circulated as required by the MEPA regulations and should also be provided to all commentors listed at the end of this Certificate, and the RSAC as described above.

E. Comments on this Proposed Certificate

In my judgment, the above decision presents the best way to move this process forward. It avoids the need for the drastic service cuts I believe would be necessary if the fare increase were postponed for any significant amount of time. On the other hand, it clearly directs the MBTA to articulate a method for resolution of these serious and recurring questions surrounding the environmental impacts of service and fare changes in mass transit services. I will take comment on this proposed decision for 14 days from the publication date of this Environmental Monitor. On July 12, 1991, I will affirm, amend or rescind this decision.

June 19, 1991

DATE

Susan F. Tierney, Secretary

Comments received: C. Bahne, Jr. 5/23/91
Conservation Law Foundation 5/30/91
MBTA Advisory Board 5/28/91
Boston Transportation Department 5/28/91
S. Kaiser 5/24/91
A. Johnson 5/15/91
Sierra Club 5/28/91
Cambridge Citizens for a Liveable
Neighborhood 5/23/91
Department of Environmental Protection
5/21/91
Metropolitan Area Planning Council 5/16/91

SFT/JGM/jgm

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May 23, 1991

MEPA Unit
Executive Office of Environmental Affairs
100 Cambridge Street, 20th floor
Boston, Massachusetts 02204

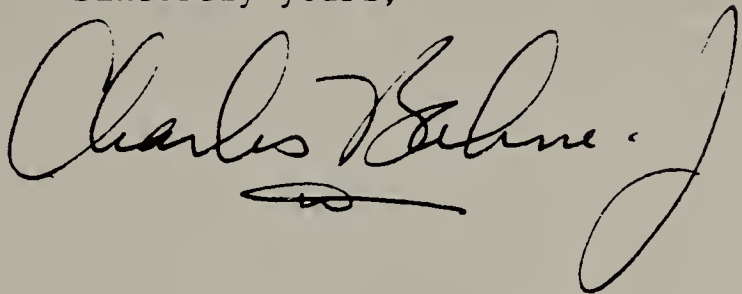
Re: EOE # 8684, MBTA 1991 Fare Increase

Dear friends,

Attached are my comments to the MBTA's Fare Policy Committee, which I also wish to have entered into the MEPA record on this proposal.

Thank you for your attention,

Sincerely yours,

A handwritten signature in cursive script, reading "Charles Bahne, Jr.", with a horizontal flourish underneath the name.

charles bahne, jr.
224 concord avenue
cambridge, massachusetts
02138
617/354-0539

May 23, 1991

Massachusetts Bay Transportation Authority
Attn.: Fare Policy Committee
10 Park Plaza
Boston, Massachusetts 02116

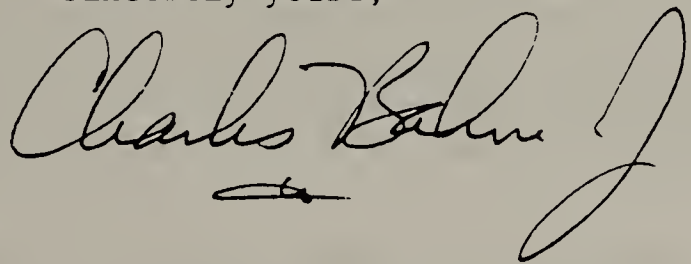
Dear friends:

The following comment on the MBTA's proposed fare increase is in addition to those which I made at the hearing on May 20:

Although I continue to support the MBTA's proposal for a higher fare for senior citizens and for individuals with disabilities, I note that there is a considerable amount of opposition to this proposal.

One compromise position might be to price elderly and disabled fares on a peak/off-peak basis. Since these fares are already collected separately -- through the collector's booth turnstile instead of through the regular turnstiles -- this would not require any additional capital or operating cost to implement.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Charles Bahne, Jr.", with a stylized flourish at the end.

charles bahne, jr.
224 concord avenue
cambridge, massachusetts
02138

617/354-0539

May 20, 1991

Massachusetts Bay Transportation Authority
Attn.: Fare Policy Committee
10 Park Plaza
Boston, Massachusetts 02116

Comments on Fare Increase Proposal

Although I realize the political necessity of a fare increase at this time, I am greatly concerned about the magnitude of the proposed increase. I am further concerned that another fare increase, perhaps even larger, will be required within the next year. Since none of this fare increase will go to support the T's operations, and since the T's labor contracts will soon be up for negotiations, it is likely that additional revenue will be needed to pay for higher MBTA labor costs.

MBTA, state, and local officials, and others who care about public transit, must begin to talk in earnest about how to finance transit service without unduly discouraging riders or encouraging automobile use.

Before I comment on the specifics of the MBTA's proposed Option 1 and Option 2, I wish to address two other issues: the background behind the fare increase and the environmental impact review process.

Background Behind the Fare Increase

This fare increase is not intended to raise additional money for the T's operations. It is important for MBTA riders, legislators, and the media to understand this point. The MBTA has been quite effective at holding its operating costs under control in recent years, and, while some additional economies may be possible in the future, the current MBTA operating budget does not require a fare increase at this time.

Rather, this proposed fare increase is a tax on MBTA riders because the governor has decided to reduce the state's share of MBTA debt service payments by \$21 million. This \$21 million is the amount that the T hopes to generate through this fare increase. This figure has no logic or rationale; the number was plucked out of the air by the governor's administration.

Given the commonwealth's difficult fiscal situation at this time, it is understandable -- although regrettable -- that everyone who uses state services should be asked to dig a little deeper into their pockets.

But it is very disturbing that transit riders have been singled out in this effort to aid the state treasury, with no corresponding increase in user fees for highways. Indeed, one of Governor Weld's first acts was to announce across-the-board increases in all state fees except those related to auto use.

The MBTA has estimated that this proposed fare increase will result in a loss of up to 43,000 daily transit users, and an increase in auto use of up to 231,000 daily vehicle miles travelled. A simultaneous increase in highway user fees, particularly in the gasoline tax and in highway tolls, would reduce this adverse impact on the environment. Other auto-related fees, such as Registry of Motor Vehicle fees and vehicle excise taxes, should also be targeted as means to help balance the state's budget.

We all know that it is more environmentally sound to use the T instead of to drive; this should be reflected in the relative pricing of these two competing modes of transportation.

In fact, the state spends considerably more on highways than it does on transit, and it subsidizes auto users much more than transit riders. According to the Conservation Law Foundation, each registered vehicle owner in Massachusetts contributes only \$131 per year in highway user fees -- while each MBTA rider pays \$245 per year in fares. Compared to other states, the share of Massachusetts' revenues generated by motor vehicle taxes is the fourth lowest in the nation -- just over half the national average.

Higher auto fees could also be used to help fund the MBTA, and to help avoid large fare increases in the future.

While I realize that highway fees are beyond the MBTA's jurisdiction, all public officials who claim to be "environmentalists" should work to see that gasoline taxes, registry fees, and other auto-related revenue sources are increased, too. I hope that the governor, the Secretary of Transportation, and those concerned legislators who are present today will heed my plea; and I urge all citizens who are here this afternoon to write or call their legislators, to ask for an increase in highway fees.

Environmental Impact Review

The MBTA states that its proposal will represent an average increase of 20.7% over present fares. Combined with the 18% fare increase that occurred in 1989, this will be a 42% increase in just two years. Because this exceeds the statutory figure of a 30% increase over three years, the present fare increase proposal is categorically included under MEPA and a state Environmental Impact Review is required.

In each of the MBTA fare increases during the past decade, we have seen a dangerous practice: the after-the-fact environmental review. Unlike all other projects, for which the environmental review must be completed before even a shovelful of earth can be turned, the MBTA has been allowed to submit its environmental documentation as much as a year after the proposed action has been implemented. The result is that the discussion of mitigating measures, which could reduce the impact of the fare increase, becomes moot. There is no attempt to link the environmental review process from one fare increase to the next. Instead, each fare increase starts from scratch, and the lessons of the previous increase are forgotten.

It is time to break this cycle of after-the-fact -- and therefore meaningless -- environmental reviews.

At the same time, I understand the need to implement this fare increase relatively quickly, before a full EIR could be completed. I do not intend to be an obstructionist.

What I suggest, therefore, is that the MBTA be required to file a Section 61 finding, addressing mitigation measures, with an appropriate public comment period, before the fare increase. Once this finding has been approved by the Secretary of Environmental Affairs, then the fare increase can be implemented. The full Environmental Impact Review can be filed afterwards.

Specific Comments on the MBTA's Proposed "Option 1" and "Option 2"

As I have stated earlier, I am greatly concerned about the magnitude of the proposed fare increase. At the end of this section is a list of mitigating measures which should be committed to -- if not actually put in place -- before the fare increase is implemented.

While I realize that the proposed increase in elderly and handicapped fares is controversial, I agree with the MBTA that the existing 10-cent fare must be increased. This ridiculously low fare scarcely covers the cost of counting the dimes that are collected. I support the proposed fare of 25 cents for subway and local bus riders. As a mitigating measure, I propose that the MBTA adopt a senior citizen/disabled monthly pass, as I have described below.

As for adult fares, I agree in principle that there should be a discount for multiple token purchases, as in the MBTA's Option 2. However, I question whether the discount should be so large as the T is proposing. Rather than a 25% discount, a discount in the range of 10% to 20% seems appropriate.

Also, the discounts for the various fare options should reflect the relative cost of processing and counting the revenue that is collected. For example, since monthly passes are the most economical way for the MBTA to collect fares, they should be the cheapest option for riders as well.

One problem with the proposed Option 2 is that the discount for the "Subway" monthly pass would be less than the discount for 10-packs of tokens. A commuter could buy 40 tokens -- adequate for most months -- for \$30, compared with \$32 for a Subway pass. This would discourage the use of monthly passes, and at the same time result in higher revenue collection costs.

I must also question whether the proposal under Option 2 to have two different kinds of tokens -- one for single-token purchasers and another for ten-pack purchasers -- would increase the T's cost of revenue collection.

Therefore I would suggest a hybrid of Options 1 and 2, as follows:

Basic Local Bus fare -- 60 cents

Local Bus ten-trip ticket -- \$5.50

Local Bus monthly pass -- \$24

Basic Subway fare -- 90 cents

Token ten pack -- \$8.00 (alternately: retain current practice of allowing a free ride with purchase of a ten pack; i.e. 11 rides for \$9.00)

Subway monthly pass -- \$32

Combo monthly pass -- \$48

Riverside Line inbound (board Reservoir-Fenway) -- 90 cents
(board Riverside-Ch. Hill) -- \$1.80

Elderly & Disabled Fare (Subway & 1-zone bus) -- 25 cents

Elderly & Disabled Monthly Pass (Subway & Local Bus) -- \$15

[Additional comments: (1) Because a high proportion of "Local Bus" pass users make a "free" transfer from one bus to another, this pass could be priced slightly higher than other passes (in terms of the number of rides). (2) It is important that the Riverside Line fare be a multiple of the basic subway fare (token amount). The premium fare which is now charged -- which is collected only from cash customers (not from monthly pass users) -- makes it significantly more difficult to use the system and is a deterrent to ridership.]

Mitigating Measures

The MBTA should commit to the following mitigating measures, through a binding agreement with the Executive Office of Environmental Affairs, before the proposed fare increase is implemented:

-- A 10-trip ticket for the basic local bus fare, priced at \$5.50.

-- A 10-trip (or 12-trip) ticket for Express Bus fares. One possibility: allow the appropriate commuter rail zone multi-ride ticket to be valid on express buses also.

-- Change or token vending machines at all major Green Line stops, including Science Park; all Riverside Line stops; and major stops on other Green Line branches as determined by ridership.

-- Change or token/ticket vending machines at major express bus stops, including Haymarket; Federal St., Boston; Newton Corner; Waltham; Lynn; and Salem.

-- A senior/disabled monthly pass, valid on rapid transit, Green Line, and one zone local bus (i.e. wherever a basic 25 cent fare is valid), priced at approximately \$15.

-- An examination of zone fare lines on all zone fare bus routes, to ensure equitability.

-- Measures to stop fare evasion on zone fare bus routes, especially in the North Shore area. One such measure might be identification checks to make sure that people do not ride beyond the zone for which they have paid.

-- Agreements with merchants to ensure that 10-trip bus and train tickets (and perhaps token 10-packs, in Green Line areas) are widely available. The MBTA should negotiate with convenience store chains such as 7-11, Lil Peach, or Christys, or with banks that have ATM locations, to sell tickets (and tokens) throughout the metropolitan area. [Tickets and tokens do not have expiration dates, making them easier to sell than monthly passes.] The T should commit to having tickets and tokens available at a certain number of outlets by such and such date; for example, at 150 outlets by January 1, 1992.

-- An aggressive marketing campaign to ensure that potential commuters know where tickets, tokens, and passes are available.

(If, for whatever technical reason, it is not possible to implement some mitigating measures at the same time as the fare increase, then the T should commit to a reasonable implementation schedule, which can be verified, not to exceed one year.)

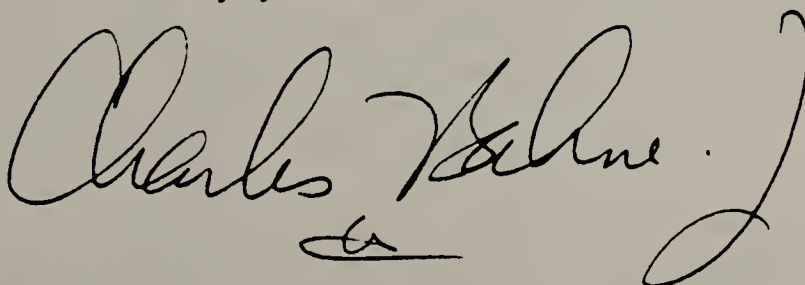
One issue which urgently needs attention is the collection of high-value bus and streetcar fares from riders who do not have monthly passes. In spite of repeated requests, these issues were not adequately touched on in the 1989 Fare Increase EIR; with this new round of fare increases, it becomes all the more important that they be addressed.

The T's present policy is to require these riders to have exact fare in coins only. The proposed \$2.25 express bus fare would require users to have 9 quarters (or an equivalent combination of dimes and nickels). This is not only a deterrent to ridership, but it also presents issues of fare evasion and high revenue processing costs. Furthermore, fareboxes now being purchased for buses and streetcars will require each rider's fare to be counted before the next rider can board; large numbers of coins will result in delays, which will in turn degrade service and increase operating costs.

The T has argued that it is not feasible or economical to accept dollar bills in its fareboxes. Therefore, alternatives such as change or token vending machines at Green Line stops, and the use of multiple ride tickets, should be aggressively pursued. Use of these alternatives would reduce revenue processing costs and speed operations, at the same time that they would make it easier for riders to use the system.

Thank you for the opportunity to comment on this proposal,

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Charles Bahne Jr.", with a stylized flourish at the end.



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COMMENTS OF THE
CONSERVATION LAW FOUNDATION
ON THE ENVIRONMENTAL NOTIFICATION FORM
FOR THE MBTA 1991 FARE INCREASE
(EOEA No.8684)

May 30, 1991

The MBTA, like the Commonwealth, is facing serious fiscal problems. The recession has cut into ridership and made the Governor and legislature reluctant to continue increasing state funding at the rate that the T has experienced for the last decade. With federal funding declining and local contributions capped at less than the rate of inflation, at the present time the farebox is the only revenue source to which the T can turn.

While the Conservation Law Foundation ("CLF") is sensitive to these fiscal and political realities, under the Massachusetts Environmental Policy Act ("MEPA") the Secretary's primary concern must be protecting the Commonwealth's residents and environment from the air pollution and other adverse environmental consequences of diverting commuters from transit into their automobiles. This is the wrong time to take actions that would substantially reduce the MBTA's ridership. The beginning of the eight-year construction period for the Central Artery is hardly the time to drive 43,000 daily trips off of the MBTA. Neither does it make sense to allow a single agency action to increase regionwide emissions of ozone-producing hydrocarbons by nearly 0.5%/year when the Clean Air Act Amendments mandate cutting such emissions by 3%/year.

CLF firmly believes that the action proposed by the MBTA is "categorically included" and that the agency must therefore prepare a full Environmental Impact Report ("EIR") before implementing the fare increase. This fare increase proposal marks the fourth time in just over a decade that the MBTA has waited until the last minute to initiate environmental review of a fare increase and then argued that there is not enough time to prepare an EIR before the fare hike. This pattern of activity is hardly consistent with the MEPA regulations, which state that Environmental Notification Forms ("ENFs") for agency actions should normally be filed one year prior to the projected effective date of the proposed action. 301 CMR 11.04(4).

The MEPA regulations do, of course, allow the Secretary to waive the requirement for preparation of an EIR for categorically included projects when specific criteria are met. 301 CMR 11.18. It is CLF's understanding that the proponent has not yet

requested such a waiver. If a waiver request is in fact made at this relatively late stage in the review process, additional steps should be taken to ensure adequate public participation in the waiver process.

Based on the current state of the record, CLF does not now support the granting of a waiver if, as we believe is the case, the fare increase is categorically included. While we are not unalterably opposed to the idea of a waiver, at the current time the MBTA simply has not demonstrated its eligibility for a waiver. Given the agency's repeated failure to allow adequate time to prepare pre-fare increase EIRs, and its history of ignoring the conclusions reached in post-fare increase EIRs, the MBTA must be prepared to make a number of far-reaching commitments in order to convince CLF that the fare increase should be allowed to proceed in the absence of an EIR. In order to expedite the process of obtaining a waiver, should the MBTA apply for one, these comments will address CLF's position on what the proponent would have to do in order to qualify for a waiver.

I. This project is categorically included and requires preparation of an Environmental Impact Report.

The MBTA is legally obligated to prepare a full Environmental Impact Report before implementing the fare increase for two independent reasons. First, the MBTA remains bound by its 1981 commitment to prepare an EIR prior to any fare increase. Second, the proposed fare increase is a "categorically included" project because it would generate far more than 3000 new vehicle trips per day.

In 1980 and again in 1981, the MBTA raised its bus and rapid transit fares without first preparing an EIR. As part of the MEPA review of the 1981 fare increase, the MBTA committed itself to prepare a generic EIR on the increases and to update the EIR "every time it increases its fares or makes major reductions in service."¹

This commitment is binding upon the MBTA and was not superseded by the promulgation of MEPA regulations that require the filing of an Environmental Notification Form ("ENF") for fare increases of more than 30% over a three period. 301 CMR 22.27(2)(a). Nothing in the language of the MBTA's commitment indicates that the agreement to prepare EIRs expires either after a certain period of time or after the promulgation of differing regulations. The July 31, 1981 document creates a legal duty to prepare an EIR that is enforceable separate and apart from any

¹ Memorandum from James O'Leary to John Bewick at 2 (July 31, 1981) (regarding EOE No. 4147, Proposed MBTA Fare Increase).

duty that may be created by the MEPA regulations. Indeed, the continuing applicability of this EIR commitment was acknowledged by then-Secretary DeVillars in his certificate on the ENF for the 1989 fare increase.²

An entirely separate reason for requiring the MBTA to prepare an EIR prior to increasing fares is that the proposed action would generate 3,000 or more vehicle trips per day and thus is categorically included. 301 CMR 11.25(19). While an ENF must be filed for fare increases only when systemwide fare increases total 30% or more over a three-year period, the MEPA regulation on review thresholds clearly provides that these thresholds are in addition to, and not in place of, the categorical inclusion thresholds in 301 CMR 11.25.

Despite the MBTA's protestations to the contrary, the fare increase easily qualifies as a "project generating 3000 or more new vehicle trips per day." A "project" is broadly defined in both the MEPA statute and regulations to include any "activity . . . directly undertaken by an agency." G.L. ch. 30, § 62; 301 CMR 11.02. Indeed, the existence of a review threshold for fare increases indicates that such operational decisions by the MBTA are the types of agency activities encompassed in the definition of "project."

The proposed "project" or fare increase will "generate" far more than 3,000 new vehicle trips per day. While the regulations do not define the word "generate," one reasonable definition would be that a new vehicle trip is generated whenever a person takes a trip in a vehicle, which trip would not have been taken but for the existence of the "project." In the case of a new building or parking lot, trip generation does not necessarily mean that the person would not have otherwise been in a vehicle but can mean that the vehicle trip would otherwise have occurred on a different highway segment.³

In assessing the meaning of "generate" in the context of a fare increase, the critical point is that in the absence of the fare increase the trip would otherwise have taken place on the MBTA rather than in a vehicle. It would be an eminently reasonable interpretation of the MEPA regulations for the

² "Certificate of the Secretary of Environmental Affairs on the Environmental Notification Form," EOEA No. 7551 (March 15, 1989).

³ For example, MEPA's July 1989 "Guidelines for EIR/EIS Traffic Impact Assessment" (at page 3) require that at least some projects must consider trips diverted from one roadway to another.

Secretary to conclude that the diversion of transit trips into automobiles constitutes the "generation" of new vehicle trips.

In interpreting MEPA, the Secretary is required to interpret and administer the statute "so as to minimize and prevent damage to the environment." Interpreting the MEPA regulations to pretend that riders driven off of transit by MBTA fare increases simply disappear without environmental consequence would fail to accord with this statutory mandate. The most textually and environmentally sound interpretation of the MEPA regulations is that fare increases and other MBTA activities generate new vehicle trips whenever they divert passengers who had previously been using transit into motor vehicles.

Using this definition, the fare increase will generate tens of thousands of new vehicle trips. Even assuming that 20% of the 43,000 diverted riders will simply stay home and that the remainder will end up in vehicles with a relatively high occupancy rate of 1.2 persons/vehicle, the fare increase will generate over 28,000 daily vehicle trips. This is as much automotive traffic and air pollution as would be produced by a major development project such as that proposed several years ago for Fan Pier. The MEPA office would never permit such a huge development to proceed without preparation of an EIR addressing traffic and air quality issues. The MBTA should be treated no differently.

The Secretary should therefore find the proposed action to be categorically included and require preparation of an EIR. To aid the MBTA in the preparation of this important document, the Secretary should continue or revive the Citizens Advisory Committee ("CAC") established in connection with the preparation of the Service and Revenue EIR and direct the MBTA to fund and cooperate with the CAC during the EIR development and review process.

II. The EIR must include or be accompanied by a fare policy document.

In his Certificate on the Service and Revenue EIR, then-Secretary DeVillars noted that the MBTA Advisory Board had asked the MBTA to prepare a comprehensive fare plan and stated that the resulting document would have to be filed with the MEPA Unit -- before any ENF for a fare increase could be filed. No such document has yet been prepared or filed with the MEPA Unit. Under the terms of this Certificate, then, the Secretary should not have accepted this ENF for filing.

CLF continues to believe that the Secretary should not have accepted the filing of this ENF without first receiving the fare policy document. Having accepted the ENF despite this

outstanding commitment, the Secretary must ensure that a fare policy is prepared as part of the environmental review process for the current fare increase proposal. The easiest way to do this in a manner that ensures thorough public review of the policy would be to have a draft fare policy included in or accompany the draft EIR so that comments can be received and considered before the policy is finalized.

The purpose of the fare policy document is to set out a series of objective and subjective criteria against which future fare increase proposals can be weighed. These criteria should address the relationship of fare revenue to operating costs, fare structure and fare collection issues. Unlike the toothless "policy statements" made in the Service and Revenue EIR and ignored in formulating the current fare increase proposal, the criteria contained in the fare policy would have to be applied in designing and evaluating all future fare decisionmaking. While such criteria would not have to be absolutely binding on the MBTA, they should at least establish presumptions, so that the T would have the burden of establishing why the MBTA Board, MBTA Advisory Board and the Secretary should approve any fare increase that is not consistent with the stated criteria.

- A. The fare policy document must include a methodology for indexing transit fares to the cost of automobile commuting or inflation, whichever is less.

One of the most critical issues to be addressed in the fare policy document is that of indexing transit fares to automobile travel costs or inflation, whichever is lower. The Service and Revenue EIR states (at page 3-10) that "fares and parking fees should continue to be set at levels that make the direct cost of service competitive with automobile travel (including associated parking costs)." Building on this policy statement, the Central Artery mitigation agreement signed by CLF and the Executive Office of Transportation and Construction ("EOTC") on December 19, 1990 provides (at page 5) that "MBTA fares should be indexed so that they do not rise more rapidly than fuel, toll and other costs of automobile use, or than the rate of inflation, whichever rate of increase is lower." Under the agreement, CLF and EOTC are to reach agreement on how to accomplish such indexing by September 30, 1991. In the Certificate on the Service and Revenue EIR, the Secretary endorsed the concept of fare indexing and stated his expectation that "the fare plan being developed by the MBTA will provide greater detail on this indexing concept."

To its credit, the MBTA did compare the proposed fare increase to a long-term (1981-1991) index of inflation and Boston-area automobile costs. It found that the cost of commuting by transit has risen no faster than the cost of commuting by automobile over those 11 years. This is historically interesting, but fairly irrelevant from a public

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policy perspective. Assuming cost is an important criterion in choosing transportation modes, no rational consumer would choose transit over automobiles based on an 11-year trend. His or her choice will be based on a comparison of current costs of each mode, as well as the perception of changes in the cost of each mode over a medium-length to short period.

The MBTA's attempt at indexing is, unfortunately, not what was anticipated by the Service and Revenue EIR and the CLF agreement. Individual commuters simply do not consider that long a time frame in deciding whether transit costs are competitive with those of driving to work. Three years is probably a more accurate estimate of price memory for a consumer. Looking at costs over a three-year period would also be consistent with the MEPA review threshold for fare increases.

Examining the change in the relationship of costs of commuting by transit and automobile, respectively, over a three year period reveals a different result than the MBTA's 11-year calculation. With the proposed increase, the MBTA's average fare will have risen approximately 30% in the period from 1988-1991. During the same period, the transportation index cited by the MBTA⁴ appears to have risen 10-15% and Boston-area inflation appears to have been approximately 10%.

At least for those MBTA passengers using rapid transit or commuter rail -- a majority of MBTA riders -- with the proposed fare hike, the cost of using MBTA services will have risen significantly faster than the rate of inflation or automobile commuting over the last three years. This suggests that the fare increase as proposed is not supported by MBTA policy and is inconsistent with the Central Artery agreement.

The fare policy document should therefore contain an indexing methodology. By the end of the environmental review process, the MBTA should have reached agreement with the CAC, CLF and other pertinent parties on the appropriate method of indexing. This year's fare increase proposal should then be adjusted to ensure consistency with the agreed-upon indexing method.

⁴ CLF does not necessarily accept the MBTA's index, the components of which are unclear, as the appropriate basis for indexing. The appropriate components of the automobile price index and the types of data that will be used to calculate the index must be addressed in the fare policy document.

8. The fare policy document must also contain criteria for assessing fare levels, fare structure and fare collection.

The starting point for the fare policy document should be the policies expressed in Chapter 3 of the Service and Revenue EIR. Frankly, it is difficult to imagine how the MBTA sees the proposed fare increase as being "consistent with the findings" of that document (ENF at page 7). The fare policy document must be more specific about evaluation criteria than was the Service and Revenue EIR in order to avoid such inconsistencies in the future.

The basic policy expressed in the document should continue to be that of setting fares so as to maximize ridership and keep transit costs competitive with those of automobile commuting. The policy should also be designed to incorporate social equity concerns raised by the transit-dependency of poor, elderly and disabled riders. These policies should be applied not only to determine the overall level of fare revenues/fare recovery, but also to design fare structure and fare collection mechanisms.

One critical issue to be addressed in the fare policy document is an appropriate schedule for future fare increases. Placing the proposed increase in the context of a schedule for future increases has two major advantages. First, it allows both riders and non-riders to better judge the long-term funding needs of the system. Second, it may produce pressure on the legislature to begin the search for alternative revenue sources.

The Service and Revenue EIR evaluated two scheduling scenarios and concluded that fewer ridership impacts would occur if fares were raised every year instead of every three years. The result is somewhat counterintuitive and does not consider the political feasibility of implementing annual fare increases. The information in the Service and Revenue EIR is also out of date and should be updated to obtain a more accurate picture of the Authority's funding needs. For example, the EIR did not anticipate the current drop in ridership attributable solely to the regional economic slowdown, nor did it anticipate possible changes in the local assessment cap now being debated in the state legislature. The MBTA should repeat the analysis of future fare schedules as published in the Service and Revenue EIR and make up-to-date projections to support its policy conclusions regarding the best fare increase schedule.

Another issue that should be addressed is fare collection methods and how they can be altered to minimize operational costs while remaining equitable. One issue that must be revisited is that of one-way fare collection on commuter rail. The experimental policy imposes a 100% fare increase on those passengers traveling in the in-bound direction only. The Authority must be lauded for searching for creative ways to

THE HISTORY OF THE UNITED STATES OF AMERICA

The history of the United States of America is a story of growth and change. It begins with the first settlers, who came to the continent in search of a new life. They found a land of vast resources and opportunities, but also one of challenges and hardships. Over the years, the United States has grown from a small colony to a powerful nation, with a rich and diverse culture. The story of the United States is a story of the American dream, of the pursuit of happiness and freedom.

The United States has a long and proud history, with many great leaders and achievements. From the founding of the nation to the present day, the United States has been a beacon of hope and freedom for people around the world. The story of the United States is a story of the American spirit, of the courage and determination of the American people. The United States is a nation of many voices, and the story of the United States is a story of the American dream.

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contain operational costs and for attempting this experiment. However, anecdotal evidence from train passengers suggests the practice may create more inequities and safety problems than can be justified by the operational savings. This practice must be seen as a fare increase for a certain segment of riders and therefore deserves close scrutiny in the current MEPA review of the proposed fare increase.

III. The EIR must consider a variety of alternatives to the fare increase, including non-fare options for generating similar amounts of revenue.

The MEPA regulations require EIRs to include a description of alternatives to the proposed project and "a discussion of the primary differences among alternatives, particularly as they may affect the environment. . . . [A]lternatives [not rejected as being inferior] shall be analyzed at a level of detail sufficient to allow a meaningful comparison of impacts." 301 CMR 11.07(4).

As the ENF acknowledges, there are a variety of non-fare revenue options which are available as alternatives to a fare increase. Such alternatives have been discussed generally in other MBTA documents, but never at the level of detail required by the MEPA regulations.

These alternatives must be given appropriate scrutiny in the EIR, given the initially positive assessments developed in other recent MBTA documents. Chapter 9 of the Service and Revenue EIR, for example, concludes that

For the public good and the stability of public transit in this region, the MBTA needs to look toward developing a more balanced "portfolio" of financing measures, which would be able to survive a variety of economic conditions. . . . It is recommended that the MBTA look to assembling such programs and that a special legislative review be made of these proposals.

Likewise, the legislatively commissioned study of MBTA financing alternatives, A Catalyst for Economic Growth: Funding of Public Transportation in Massachusetts concludes (at page 107) that a number of options should "be considered to restructure MBTA funding with a new dedicated revenue stream."

Unfortunately, there has been little or no action evident by the MBTA, EOTC, or the legislature to explore seriously implementation of any of these funding mechanisms. The time has come to acknowledge that fare increases should be viewed as a last resort to raise additional revenue, given the promising alternatives that exist.

From an environmental standpoint, the most promising alternative revenue sources are those which tax the use of automobiles in some way, either directly or indirectly. Such alternatives could simultaneously reduce the environmental impacts of automobile use, help keep transit prices competitive with those of transit and provide a dedicated revenue source to the MBTA.

Focussing on automobile commuters would also be fairer than imposing additional financial burdens on transit riders, who are aiding both the economy and the environment by using the MBTA. Despite perceptions to the contrary, Massachusetts automobile drivers are not currently paying their fair share for transit and transportation services. As of 1989, Massachusetts ranked 47th in the nation in terms of the percentage of state tax revenues generated by motor vehicle users; only 5.5% of the Commonwealth's tax revenue came from vehicle-related taxes and fees, compared to a national average of 9.9%. And while each of the MBTA's 675,000 daily riders contributes \$245 annually toward the cost of operating the transit system, each of Massachusetts' 3.8 million registered vehicle owners contributes only \$131 annually toward the cost of operating the Commonwealth's highways and roads.

The EIR should evaluate a broad range of alternative revenue sources, including:

- o parking surcharges in areas of concentrated employment
- o windfall profits parking tax in parking freeze zones
- o parking fees in the MBTA district communities
- o highway, bridge, and tunnel tolls
- o vehicle registration fees
- o drivers license fees
- o district-wide sales tax
- o district-wide payroll tax

For each alternative, the EIR should discuss its revenue-generating potential, political feasibility and economic and environmental impacts relative to those of a fare increase.

IV. The EIR must identify and commit the MBTA to adopting feasible measures to minimize the ridership loss associated with the proposed fare increase.

The EIR must present a mitigation analysis which more specifically identifies where ridership loss is projected to occur (in terms of both population groups and modes) and evaluates mitigation measures which could be used to minimize such ridership loss. This section touches upon several areas in which changes could be made in the proposed action that might reduce the level of ridership loss.

1. The first part of the paper discusses the importance of the study and the objectives of the research. It also mentions the scope of the study and the limitations of the study.

2. The second part of the paper discusses the methodology used in the study. It includes a description of the sample, the data collection methods, and the data analysis methods.

3. The third part of the paper discusses the results of the study. It includes a description of the findings and a discussion of the implications of the findings.

4. The fourth part of the paper discusses the conclusions of the study. It includes a summary of the findings and a discussion of the implications of the findings.

The largest fare increase in the proposal is that for elderly and disabled riders. With elderly riders making up a substantial portion of daily transit trips, some level of fare increases for this segment is unavoidable and appropriate. However, many elderly and disabled riders view the proposed increases as an extreme hardship, given the cuts in other social programs that might otherwise cover their needs. The ideal situation would charge a higher fare for those elderly or disabled riders who can afford such an increase and retain a deep discount for all others. An easier-to-implement proxy for appraising "ability to pay" would be to distinguish between those elderly and disabled riders who ride at peak hours and those who use the system at off-peak times. This approach assumes that peak riders are either employed and can therefore afford an increase or can easily shift to using the system at off-peak times. The MBTA should consider raising elderly/disabled fares during peak hours, with a smaller increase or no increase for trips made during off-peak hours. Because elderly riders must already show their identification and cannot use the regular turnstiles, such an approach should be feasible.

Another area to be investigated is that of pricing tokens, tickets and passes. CLF is particularly concerned that, if the deep discount approach is adopted, it may be more desirable for passengers to purchase discounted tokens than monthly passes. Passes, however, are more desirable from an operational and ridership point of view. Consideration should also be given to implementing discounted, 10-ride tickets for local buses and making such tickets (and discounted tokens) widely available through local stores, rather than just MBTA outlets.

A related problem is the proposal to increase the on-board Commuter Rail fare surcharge from \$.50 to \$2.00. Unless ticket purchasing procedures are improved immensely, including hiring additional tellers, creating express single-ride ticket windows, ticket vending machines, and other such improvements, this approach will drive non-pass riders off of commuter rail by making rail commuting extremely expensive relative to automobile commuting. It is understandable that the MBTA should wish to limit the number of on-board ticket purchases, but viable alternatives for purchasing tickets must be provided if the Authority wants to avoid being perceived as indifferent to the needs of riders.

In addition to mitigating ridership loss, the mitigation section must address ways to mitigate the effects of the fare increase on transit-dependent persons such as the poor, senior citizens and students. In particular, regarding Option 2, the Authority should evaluate (using survey data, if possible) whether low income people will actually purchase 10-packs of discounted tokens. If not, the \$1.00 subway fare is simply too high.

In considering mitigation measures targeted at those generally considered transit-dependent, two factors must be kept in mind. First, an assessment should be made as to how many will switch to automobile use and what type of automobiles they are most likely to use. It is often the case that the most polluting cars, i.e. the oldest cars, are owned or driven by the poor. Second, in other cities it has been found that the poorest transit users, when faced with a significant transit fare increase, may establish their own, low-cost, paratransit services using private automobiles and cease patronizing public transit services altogether for purposes of commuting. The MBTA should rely on the experience of other U.S. transit authorities in determining whether the proposed fare increases would trigger this phenomenon in the Boston area. Given the current economic downturn, such an effect is a realistic danger, perhaps leading to unanticipated large-scale ridership losses from population segments thought previously to be "captive" to the transit system.

- V. Stringent conditions, both procedural and substantive, must be put in place if the requirement for preparation of an EIR is to be waived.

The MEPA regulations permit the Secretary to waive any requirement upon making findings that strict compliance (1) would result in undue hardship, and (2) would not serve to minimize or avoid damage to the environment. 301 CMR 11.18(1). In the case of categorically included projects such as this fare increase, waivers are disfavored and the preparation of an EIR is presumed to benefit the project and the environment unless the project proponent rebuts this presumption. 301 CMR 11.18(2). The burden rests with the MBTA to request a waiver, to demonstrate undue hardship and to rebut the presumption that preparation of an EIR would serve to minimize or avoid damage to the environment.

The MBTA has not yet attempted to make such a showing because it has not yet requested a waiver. CLF believes that the Secretary cannot grant a waiver based on the current state of the record, even if she receives a bare request from the MBTA for a waiver within the next week or so. There is little evidence in the record about undue hardship and none whatsoever about how the environment could possibly benefit from the MBTA's failure to prepare an EIR.

- A. The MBTA should be required to file a waiver request, with supporting data, and have that request noticed in the Monitor.

The first hurdle to the granting of a waiver is procedural. The MBTA will not only have to request a waiver but to include in

its request information that will meet its burden of proof on the two findings the Secretary must make prior to granting a waiver. This newly-filed information must be subject to public review before the Secretary makes even an initial determination about the project.

CLF therefore requests that the Secretary condition acceptance of a late-filed request for a waiver on the MBTA's agreement to extend the MEPA review period long enough for the waiver request to be noticed in the Monitor and for the Secretary to accept comment on the factual information contained in the request. If the MBTA acts expeditiously, the waiver request could be filed by June 15 and appear in the Monitor issued on or about June 25. A 14-day public comment period would allow the Secretary to issue either a scope or draft Record of Decision on a waiver in time for publication in the Monitor issued on or about July 25. If the Secretary proposes to grant a waiver, the regulations provide that an additional 14-day public comment period would begin to run. A waiver (or scope) could then be issued on or about August 9, effective immediately.

Under this timetable, a fare increase could take effect no sooner than September 1. While CLF understands that the MBTA would prefer to avoid such a delay, the Secretary's duty is to ensure that MEPA's public comment process is not undermined because of the MBTA's failure to prepare and submit documentation in support of a waiver request.

- B. The MBTA must include data on the need for this fare increase at this time in order to meet its burden of demonstrating undue hardship.

CLF would, of course, participate fully in commenting on any waiver filing and/or draft Record of Decision and reserves the right to change or expand upon the comments that follow. In order to expedite the MEPA review process, however, we would like to make some comments on the criterion that CLF will use in deciding whether or not we can support issuance of a waiver.

The first showing that the MBTA must make is that of "undue hardship." Under the regulations, "[h]ardship based on delay in compliance by the proponent will normally not be sufficient for invocation of this section." 301 CMR 11.18(1). Thus, the MBTA cannot claim it does not have enough time to prepare an EIR because it waited too long to file an ENF. Neither can the agency generally claim that it needs the increased farebox revenue. Instead, the appropriate showing is that undue hardship will be incurred if the fare increase is implemented only after the 6-9 months needed to prepare an EIR, rather than immediately.

As was stressed at the May 28, 1991 consultation meeting, the MBTA has yet to make a clear link between the proposed fare

increase and the agency's operational needs. Is this fare increase needed to cover operating and/or debt service costs? Is this fare increase needed to conform to either the legislative or Advisory Board mandates concerning a 33% revenue recovery ratio?⁵ Does this fare increase conform to the policies expressed in the Service and Revenue Environmental Impact Report, including the policies that:

- o Fare increases should be comparable to increases in MBTA operating costs (page 3-10);
- o Fare increases should be set to maximize ridership (page 3-8); and
- o Fares should be set at levels low enough to attract new riders and maintain the existing ridership base (page 3-6).

In short, the MBTA has not yet presented the Secretary with evidence that a fare increase of this magnitude is needed right now in order to avoid undue hardship. CLF is intimately familiar with the data presented by the MBTA in its ENF about how the T's revenue system is broken and in need of repair. This general revenue data does not, however, establish that the MBTA would face immediate and undue hardship without a fare increase.

- C. The issuance of a waiver must be conditioned on the MBTA's agreement to undertake, both before and after the fare increase, studies and substantive actions sufficient to ensure that issuance of the waiver will bring about more environmental benefits than preparation of a pre-fare increase EIR.

In order to grant any waiver, the Secretary must find that compliance with the MEPA regulations -- in this case, preparation of an EIR prior to a fare increase -- would not serve to minimize or avoid damage to the environment. 301 CMR 11.18(1). Where, as here, a project is categorically included, the Secretary makes this determination by making one or more of four findings as detailed in 301 CMR 11.18(2).

CLF believes that only one of these four findings is pertinent to the case at hand. The Secretary cannot possibly find that, even with mitigation, "the impacts of the project are insignificant." 301 CMR 11.18(2)(a). Even if mitigation could somehow halve the projected ridership loss, the MBTA's action would still increase regional hydrocarbon emissions by 0.25t/year at a time when the Clean Air Act requires reductions of 3.0t/year. (Each ton of increased emissions would have to be

⁵ The Service and Revenue EIR states (at page 3-10) that fare increases in excess of this requirement "are not expected because larger increases would likely have more adverse environmental and socio-economic impacts."

offset by emission reductions from other mobile or stationary sources.) The second permissible finding relates to subject matter jurisdiction, 301 CMR 11.18(2)(b), which is pertinent to private but not agency project proponents. The third permissible finding is that "ample and unconstrained infrastructure exists to support the project." 301 CMR 11.18(2)(c). A quick perusal of almost any Boston-area EIR traffic analysis prepared in recent years demonstrates that the area lacks the infrastructure to accommodate tens of thousands of new vehicle trips -- especially during the construction of the Central Artery/Tunnel project.

Thus, the Secretary is left to find that "the terms agreed to as a condition of the waiver will bring about environmental benefits in excess of those that could be achieved in the absence of the waiver." 301 CMR 11.18(2)(d). The question for the Secretary, then, is what conditions can be imposed on the waiver that would produce even greater environmental benefits than those that would come out of full environmental review, which would ordinarily result in the agency committing to take all feasible measures to minimize damage to the environment.

CLF believes that the MBTA must be willing to make some far-reaching commitments in order to support a finding that the waiver will produce more benefits than normal MEPA review. (If the agency is not willing to make such commitments it would, of course, have to delay the fare increase pending preparation of an EIR.) It is difficult to comment on appropriate conditions for a waiver that has not yet been requested and CLF may identify additional requirements during the process of public review of the waiver request and draft Record of Decision. We do, however, have some preliminary thoughts.

In general, the necessary waiver conditions fall into three categories. First, the Secretary must at least ensure that certain types of analysis that would otherwise have been undertaken prior to the fare increase are in fact performed. Specifically, the waiver should require the MBTA to address the issues of mitigation and fare indexing before implementing the fare increase. Second, the Secretary must require preparation of a post-fare increase EIR with a scope reflecting the full range of comments made on the ENF. Third, the Secretary must ensure that the MBTA takes some steps which go beyond conducting the analyses that would otherwise have been performed -- otherwise it cannot be found that the environmental benefits exceed those that a pre-fare increase EIR would have produced. In this category, CLF will be seeking waiver conditions relating to guaranteeing against excess ridership loss and ensuring that steps are taken to identify and create a new, non-fare dedicated revenue source for the MBTA.

1. The MBTA should be required to prepare Section 61 findings and/or a mitigation plan and to take appropriate mitigation measures prior to implementing the fare increase.

Ordinarily, any agency acting on a project for which an EIR has been prepared would have to make so-called "Section 61" findings that "all feasible means and measures have been taken to avoid or minimize damage to the environment." 301 CMR §§ 11.01, 11.10(3). If the waiver is to result in more environmental benefits than the preparation of an EIR, it must be conditioned on a requirement that such a mitigation analysis occur before the fare increase is implemented.

It is critical that the MBTA evaluate and make commitments to mitigation measures prior to the implementation of a fare increase. CLF is aware of no evidence that post-fare increase measures can effectively bring lost riders back on to a transit system, at least not for several years. It is therefore vital that measures be taken to minimize ridership loss before fares are actually raised. The Secretary should therefore condition issuance of the waiver on the MBTA's commitment to preparing Section 61 findings or some other form of mitigation analysis, filing the proposals for public review and committing to implement those measures which can feasibly be implemented. The comments submitted by CLF and others on the ENF should give the agency numerous ideas for fruitful mitigation steps.

This process could be expedited if the MBTA would prepare such a mitigation analysis and submit it to the Secretary by no later than July 15. This would allow the public review period for the Section 61 findings/mitigation analysis to coincide with the public comment period for the draft Record of Decision on the waiver request.

2. The MBTA should be required to develop and implement a fare indexing methodology before implementing the fare increase.

As discussed earlier in these comments, the MBTA is committed to indexing transit fares to automobile commuting costs or inflation, whichever is less. This policy will be severely undermined if the current fare increase proposal is allowed to proceed before an index is developed. The MBTA should be required to work with the CAC to develop an acceptable indexing methodology and to submit the methodology for MEPA and public review in the same time frame as the Section 61 findings/-mitigation analysis. The waiver should be conditioned on the MBTA's agreement to adjust the proposed fare increase to ensure that it is consistent with the index developed through this process. In other words, the MBTA should be prohibited from adopting a new fare structure that would allow fares to rise at a

rate faster than automobile commuting costs or inflation, whichever is less.

3. The MBTA should be required to prepare a post-fare increase EIR.

Comments made in the public hearings and submitted to the Secretary, including these comments by CLF, have identified a variety of issues that should be addressed in an EIR. While the mitigation and fare indexing issues must be addressed prior to the fare increase, the remaining issues still deserve attention even if the analysis must wait until after the fare increase. Specifically, the post-increase EIR should analyze the full range of non-fare alternatives to future fare increases and should contain the type of fare policy document discussed above. As stated previously, a CAC should oversee preparation of the post-increase EIR. Where the issues to be discussed in the new EIR overlap with the contents of the Service and Revenue EIR, the new document should not repeat, but rather build on, the previous analysis.

4. The MBTA should be required to commit to restructuring fares if, one year after the increase, ridership has fallen more than 5% systemwide or 10% on any mode.

The Service and Revenue EIR (at page 3-8) took the important step of establishing boundaries for the acceptable ridership impacts of any fare increase. The EIR states that

in any case where fare or parking fee increases cause ridership to decline by either more than five percent systemwide or more than 10 percent on any mode in the year following the increases, fare and parking fee levels would be re-evaluated to determine appropriate changes to regain lost ridership. This would include the possibility of fare decreases (as in 1981-1982) as well as other mitigating measures.

The ENF conservatively projects a ridership loss of 43,000 riders per day, which is equivalent to a system-wide loss of 6.4% (assuming a ridership of 670,000). If the prediction bears out, the fare hike would require re-evaluation under this policy.

As a waiver condition, the Secretary should put teeth in this policy by requiring the MBTA to (1) quantify systemwide and modal ridership immediately prior to the fare increase and one year after the increase and (2) if ridership systemwide is 5% less, or ridership on any mode is 10% less, at the one-year point, develop an alternative fare structure and other appropriate mitigation measures to significantly increase ridership and implement them within 90 days after the one-year anniversary of the fare increase.

The precedent for such a requirement was, of course, set in connection with the environmental review of the 1981 fare increase. While a fare rollback was in fact implemented, the process did not go smoothly because there was no prior agreement on the methodology for calculating ridership loss. Valuable time was wasted fighting over whether or not the ridership loss in fact exceeded the trigger (which was set at 10%). To avoid this problem, the waiver should require the MBTA to prepare and submit to the Secretary and the CAC a description of how pre- and post-increase ridership will be calculated. This methodology should be agreed to by the Secretary and CAC before any fare increase is implemented.

5. The waiver should impose a moratorium on fare increases for one year following the Administration's filing of legislation to provide a dedicated revenue source for the MBTA.

The need for a dedicated revenue source for the MBTA, and the range of available options, has been studied repeatedly in recent years. This issue is discussed in both the Service and Revenue EIR and the MBTA's April 1990 report "A Catalyst for Economic Growth: Funding of Public Transportation in Massachusetts." There is room for additional analysis, especially of the relative environmental impacts of generating revenue from automobile commuters rather than transit riders. Such analysis should be included in the post-fare increase EIR.

Generally speaking, however, the time has come to stop conducting studies and start taking concrete steps to provide the MBTA with a dedicated revenue source, preferably one focussed on automobile commuters throughout the MBTA's service area. The waiver should therefore impose a moratorium on future fare increases until one year after the Weld Administration has filed legislation providing a dedicated revenue source for the MBTA. Such a condition would, without directly requiring the Administration to prepare and file such legislation, give the MBTA and Administration a strong incentive to promptly prepare, file and lobby for such legislation.

Advisory Board

120 Boylston Street, Suite 504, Boston,

Massachusetts 02116 Tel. 617-426-6054

FAX 617-451-2054

May 28, 1991

Susan F. Tierney, Secretary
Executive Office of Environmental Affairs
100 Cambridge Street
Boston, MA 02202

RECEIVED

MAY 28 1991

MEPA

Re: EOE A #8684 MBTA 1991 Fare Increase

Dear Secretary Tierney:

The MBTA Advisory Board urges you to require the Massachusetts Bay Transportation Authority to complete an Environmental Impact Report as a condition of implementing the proposed fare increases. With the current proposed increases, MBTA fares will have risen more than 30% within three years. It is critical that the impact of this series of increases be well documented. It makes sense that the EIR be in the form of a supplement to the November 1990 FEIR on the 1989 fare increase. In addition it is important that the Authority take this opportunity to supplement the parts of the EIR on the 1989 fare increase that were less than satisfactory. Attached to this letter is a list of data and issues the Advisory Board believes should be included in a Supplemental Fare EIR.

For the past seven years the Advisory Board has been on record as supporting a policy of a minimum 33% fare recovery ratio for the MBTA. Board members believe that public transit maintains its strongest support when taxpayers feel confident that transit users continue to pay their fair share.

The development of a long-range comprehensive fare plan for the MBTA (as required by the Advisory Board) should be incorporated into the EIR. This plan should consider

- Technical issues, such as the implementation of advanced fare collection equipment, pricing policies, and transfers and intermodal usage; and,
- Policy issues, including the frequency of fare increases, the relation of those increases to the cost of living and other appropriate indices, the circumstances under which a fare increase might be proposed, and the process for the approval of such proposals.

The Advisory Board believes that the development of a comprehensive fare plan will maintain an equitable balance between ensuring that transit users pay their fare share while not burdening them with an excessive portion of transit costs, driving ridership down and adding to traffic congestion and pollution.

Furthermore, the MBTA, the Weld Administration, and the Legislature must address the fundamentally flawed financing mechanism of the MBTA so that fare increases do not become a convenient "solution" to the Commonwealth's fiscal problems. By providing a balanced package of stable revenues to support public transit, these groups can ensure that the interests of the environment and the riding public are protected.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anne M. Larner".

Anne M. Larner
Executive Director

enclosure

cc: R. Taylor, EOTC
J. Rooney, MBTA
J. McCabe, EOEA

Items Recommended for Inclusion in Supplemental Revenue and Service EIR

Ridership and Revenue

Measurement of ridership before and after the fare increase during comparable time periods is necessary. These counts must be conducted separately by mode, and must include special services such as express and zoned buses.

Traffic and Air Quality

The impact of diverted transit riders on traffic congestion must be evaluated both from the aspect of the projected gain in auto travel resulting from any ridership loss as well as observed changes in the usage of major roadways competing with MBTA services such as the Boston Harbor tunnels, Southeast Expressway, and Massachusetts Turnpike. The effect on greater Boston air quality must also be evaluated.

Socioeconomic Impact

The effect on different economic and social groups must be examined. In particular, changes in the riding habits of elderly, handicapped, and other special fare riders should be assessed.

Mitigation Measures

The independent effect of any mitigation measures introduced must be evaluated. Issues such as "deep discount" fares and zone eliminations or reductions must be examined both from a policy standpoint and in terms of the observed effect on ridership.



BOSTON
TRANSPORTATION
DEPARTMENT

RECEIVED

MAY 29 1991

MEPA

28 May 1991

Susan Tierney, Secretary
Executive Office of Environmental Affairs
100 Cambridge Street
Boston, MA 02202

Dear Secretary Tierney:

I wish to submit the following comments on the environmental notification form for the MBTA 1991 fare increase (EOEA No. 8684).

This proposal would raise MBTA fares for the second time in three years, increasing the systemwide average fare by 35 percent. For this reason, the MBTA should evaluate the impacts of the current fare increase plan through the state environmental review process.

However, because the MBTA recently completed a revenue and service environmental impact report on its 1989 fare increase, I suggest that a new EIR take the form of a supplement to this document.

Regardless of the format, the MBTA should be required to evaluate the ridership impacts of the current proposal and to develop appropriate mitigation measures.

The evaluation should include the following:

- o Before and after ridership counts by mode and service type as appropriate (e.g. separate counts for express and local buses).
- o Impacts on regional traffic and air quality.
- o Socioeconomic impacts of the fare changes. This is especially important in view of the proposed increases in fares for local buses, special-needs services, and elderly and handicapped riders.
- o Identify appropriate mitigation measures, outline an implementation plan, and evaluate their impacts.

RAYMOND L. FLYNN, MAYOR
RICHARD A. DIMINO, COMMISSIONER

- o Quantify shifts in mode among transit passengers. For example, are passengers switching from commuter rail to rapid transit, or from rapid transit to bus, as a result of fare increases?
- o Platform counts for commuter rail and rapid transit. These counts could highlight changes in riding patterns. For example, will commuter rail passengers switch zones to save money? Are passengers carpooling or using feeder buses in order to save parking costs?
- o Determine the relationship between fares, parking fees, and ridership.

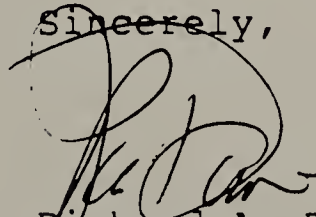
Through its role on the MBTA Advisory Board, the City has been working to ensure that the MBTA develop a comprehensive and equitable long-range fare policy and implementation plan. A new EIR would provide an opportunity for the MBTA to move forward with such a document.

Policy issues should include pricing guidelines, transfer use, and the relationship between fare levels and appropriate cost indices. An implementation plan could review fare collection options, strategies for marketing fare media (passes, tokens, multiple ride tickets), the timing of fare increases, and the public review process.

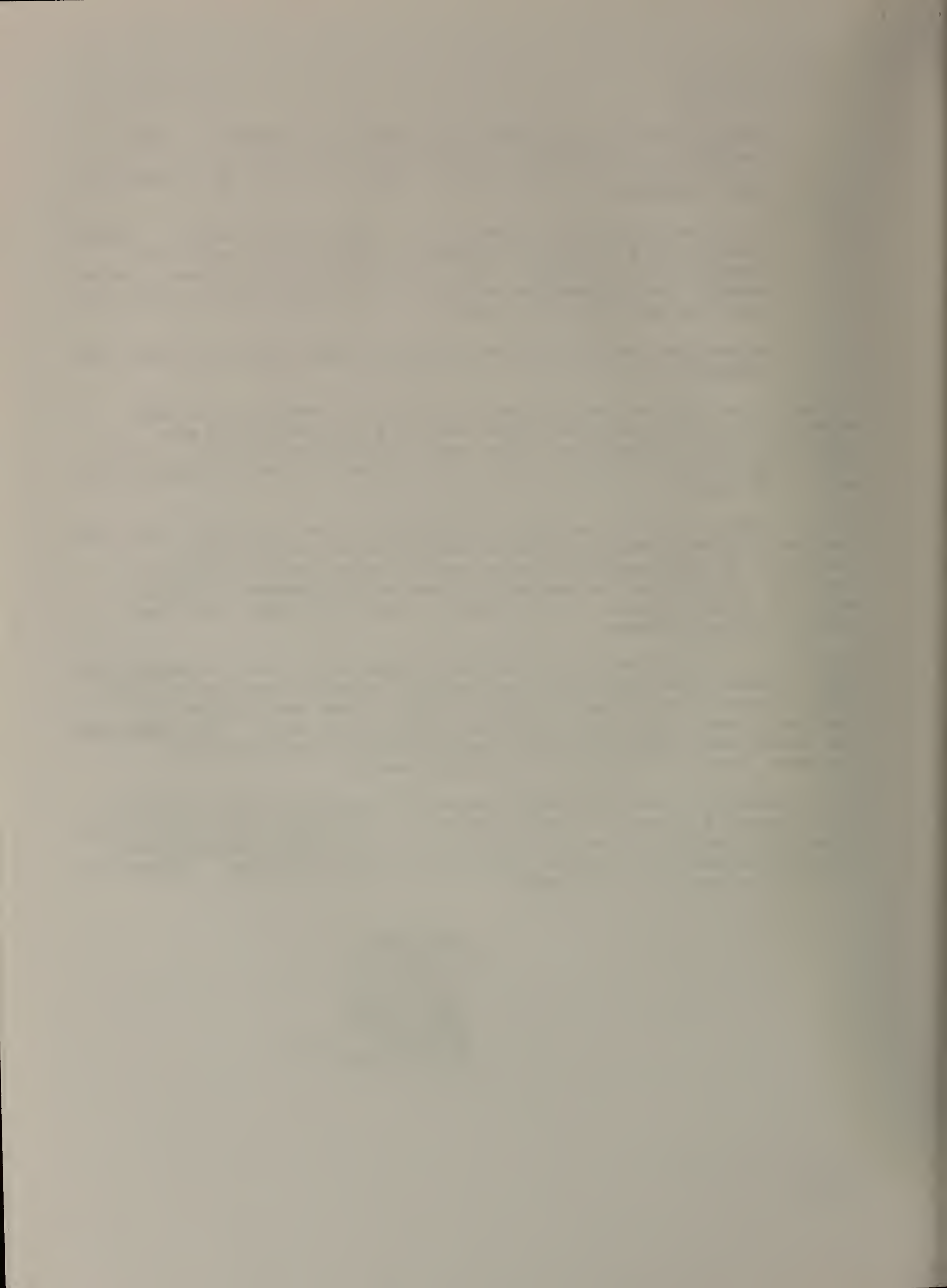
Finally, it is becoming increasingly clear that fare increases are only a short-term solution to a larger financing problem for the MBTA. Federal assistance is declining. State assistance is limited. And localities cannot contribute any more. The MBTA and the state must begin to solve the structural problems that threaten transit funding in the Commonwealth.

It is essential that the MBTA review the impacts of the current fare increase proposal in the context of long-term fare policy and financing issues. I am optimistic that the state environmental review process will provide the forum for this review. Thank you for this opportunity to comment.

Sincerely,



Richard A. Dimino
Commissioner



191 Hamilton Street
Cambridge, Mass. 02139
May 24, 1991

Janet McCabe
Director, Environmental Review
Executive Office of Environmental Affairs
100 Cambridge Street
Boston, Mass. 02202

Subject : Comments on MBTA Revenue Increase Proposal
for Increased Transit Fares EOE # 8684

Dear Janet,

The current MBTA fare increase proposal represents the efforts by the MBTA to reduce the alternatives relating to their larger problem of balancing their budget. Many government agencies and private companies are in similar difficulties, and companies have the choice of trying to reduce expenses or increase sales in order to balance the budget. The general goal is to improve efficiency to reduce the costs associated with producing a saleable product.

Nowhere do I get the impression that the MBTA has adequately addressed the issue of efficiency in their operations. Ever since the first fare increase of 1980 and consequent efforts in 1982 and 1989, the MBTA emphasis has been on looking for a new pot of gold for added revenue, either from the legislature or from added fares from its riders.

While at MEPA in 1980 and 1982, I participated in the scoping and analysis of the fare increase studies by the MBTA. My informal suggestions that efficiency alternatives to a fare increase be considered were rebuffed or stonewalled. Similarly, in 1989, the MBTA continued on its quest for more fare revenues without dealing with questions of its own efficiency.

In the 1980s, the MBTA still retained many liberal transit supporters from the 1970s. THESE transit advocates believed that the issue was getting more people to ride transit and finding the elusive pot of gold to avoid the need to raise fares. Options for improved efficiency never were considered, I contend, because of the ingrained belief of Humphrey/Mondale Liberals that efficiency is a heartless industrial concept misused by business conservatives to punish workers and deprive many of them of jobs and dignity. Indeed, Senators Humphrey and Mondale used to boast of the fact that the word "efficiency" does not appear in the Bible.

On the other hand, Conservatives have lived up to their heartless image regarding transit. Their ruthless market-oriented approach of sink-or-swim would relegate unprofitable inner city transit operations to the dust bin of history.

I think it is time to realize that liberals and conservatives have a joint interest in seeing that public transit systems are operated in the most efficient manner possible. Inefficient transit robs taxpayers of money and riders of good service. Subsidized transit is a "transfer payment" from the rich to the poor, and any wasteful loss of funds or service should be seen as morally reprehensible as stealing from famine relief supplies.

===== ALTERNATIVES TO MBTA FARE INCREASES =====

The proposals for MBTA fare increases would result in higher revenues, but reduced ridership ... with no significant effect on reducing waste and inefficiency at the MBTA. Transit officials threaten the cataclysmic alternative of major service cuts if they don't get their way with the fare increase.

The full range of alternatives to balance the MBTA budget would include :

- * the two fare increase proposals of the MBTA
- * other ways of changing fare rates or collection methods
- * Improving the operations of existing trains and buses through better scheduling, performance maintenance and equipment reliability.
- * More efficient use of energy and reductions in energy theft.
- * Cutting back on the wasteful bureaucracy at the MBTA, including excessive job positions and poor productivity among both white and blue collar employees
- * reducing capital projects and the rigid imposition of new debt service costs to annual budgets.

I leave it to MEPA officials to determine the best fare packages for study. My preference is to leave fares the way they are and deal with the more critical issues of waste and inefficiency.

In terms of unnecessary MBTA debt service, I would cite two examples : (1) the unjustified construction of 1300 parking spaces for commuters at North Station, at an overall cost of \$70,000 per parking space, and (2) the lengthening of the Blue Line at State Street for 8-car trains, in order to provide a floor for the Central Artery. Both of these projects represent the use of scarce transit dollars to subsidize highway operations, and place a significant new debt service burden on the transit budget.

===== EFFICIENCY ALTERNATIVES =====

No one can claim that the MBTA is operating at 100% efficiency, which is partly why the MBTA avoids the issue. If inefficiency exists, how much is it and how much can we reduce it?

In other transportation fields, the extraordinary waste in private industry has become quite evident, especially in autos, trucks, buses and rail equipment. Only in aircraft and school buses is the United STATES competitive in an international sense.

If General Motors is mismanaged and inefficient, with a corporate culture which denies and covers up for its ills, why should we expect the MBTA of all things to be any better?

While there is much value in reducing personnel waste at the MBTA, I would like to concentrate on the alternative of operational improvements to make the existing system run better.

My October 9, 1990 report, "Performance Measure for Mass Transit Service," (which I have already submitted both to MEPA and the MBTA) surveyed 96 sample trips on the Boston College Green Line. The most telling result is that in the peak hour in the peak direction the trains were only 60% full on the average. Stated another way, the trains were 40% empty. This waste of 40% in capacity should be of primary interest to responsible MBTA management.

The most evident cause for this waste of available capacity is the bunching of trains which commonly occurs. Some trains are full, while other trains bunched up close behind may be virtually empty. The inability of the transit authority to deal with this problem can be best summarized by the comment made to me several years ago by an MBTA manager -- that T Management had "given up on the Green Line because they can't understand it."

As a minimum, this suggests the incompetence of the MBTA bureaucracy to operate the transit system properly, and suggests that privatisation of operational authority might have some validity. For several years, I have suggested that the operations of the Green Line should be contracted out to the Japanese. Now may be the time to consider such alternatives, if T management cannot do something about its operational ineptitude.

I should note that the Japanese are now using the cutting edge of computer technology -- "fuzzy logic" -- as a means of reducing ridership delays to a minimum. At the MBTA, they do not have any sense what ridership delay is, nor do they appear to care. The prevailing MBTA measure of performance is "On-time performance" and the MBTA chairman's office has regularly been supplied with reports that T service is "99% on time" or similar glowing reports. We must understand how the MBTA uses the term "On-Time".

Any bus or train is currently defined as being "on-time" if it can manage to get out of the barn within 5 minutes of scheduled time. Since many train headways are less than 5 minutes, this criterion is absurd on its face. It is completely insensitive to whatever happens on the remainder of the trip, since it measures only what happens at the very beginning of the trip. The 5-minute threshold is so sloppy it is no wonder that T management can claim excellent performance.

The key elements is any legitimate performance measurement system would include average speed, waiting delays at platforms, and car loadings. Other factors such as comfort and cleanliness should wait until the system has a full grasp of the basic elements of bus and train performance.

If we monitor train spacings and take preventive steps to prevent bunching, we could expect benefits in both loadings and average speed. Ideally, the system should be operated so there is no waiting in tunnels nor lengthy dwells at platforms. The MBTA has no way of measuring or monitoring these factors, so the system largely functions based on the Protestant Work Ethic of the Carmen's Union.

Increased average train loading and improved speeds would mean more riders and more revenue. Efficiency means more service and revenues for the same input dollars. Let us take the benefits of loading and speed separately.

..... LOADING EFFICIENCIES

The Green Line analysis noted above provides us with a sense for the potential loading improvements. With loadings now averaging about 60% in the peak hour, what improvements might be contemplated? Clearly there are surges in loadings, especially with the new 6-car Red Line trains, but if trains ran closer to a schedule as they did in the 1950s and earlier, it would be possible to anticipate these pulse loadings. Nevertheless, it does not appear that loadings throughout the peak hour could be maintained any higher than an 85% to 90% level, on the average. This represents up to a 50% potential gain in ridership.

It should be noted that the Green Line represents the most erratic MBTA service, in contrast to the Orange Line or Commuter Rail which run with more regularity. Thus a 10% target for improved average loading systemwide through more regular operations should be a reasonably attainable objective.

Current fare revenues are \$130 million a year. A 10% improvement in loading through less erratic scheduling would yield an 8% ridership gain, assuming a service elasticity of 0.80. The net result is a \$10.6 million increase in annual revenues.

..... SPEED

The bunching of trains often results in the lead train being crowded and delayed by lengthy dwell times for loading and unloading. Better scheduling will produce better trip speeds. Of the 96 sample Green Line trips, the fastest trip was 12.3 MPH at 5:50 on June 21, 1990, while the slowest trip of 4.3 MPH was at 5:25 PM on December 1, 1989. If we could swap off the slowest 15% of the trips for the fastest 15% of the trips for speeds actually attained and measured, the total average speed would increase by 10%. Similarly, if we took the slower half of the trips and replaced them with the faster half of the trips, the average speed would improve by about 16%.

What speeds is the Green Line actually capable of attaining? The MBTA publishes no summaries of historical travel speeds, but the one piece I have located is fascinating. In 1939, a fan trip took a Type 4 streetcar built in 1911 from Park Street to Kenmore in 8 minutes. None of the 96 measured trips in the 1981-1990 period was able to better this 1939 trip speed.

It appears reasonable and feasible to set a goal of a 5% improvement in average trip speeds through better scheduling and fewer delays. The increased speeds provide more vehicle miles of service daily, and this service would yield a \$5.2 million increase over existing revenues.

..... ENERGY EFFICIENCY

The MBTA record on energy efficiency has been very disappointing. Until the late 1970s, the MBTA operated a very inefficient generating plant in South Boston, with only 14-17% efficiencies reported, compared to industrial standards of 33%. Similarly, the actual MBTA system showed the rail operations achieving only half a mile per gallon (gasoline equivalent) per car in energy efficiency, while state officials were claiming 2.5 to 3 MPG theoretical.

Since that time, the generating plant has been closed and the MBTA purchases most of its power from Boston Edison. Energy efficiency has risen to slightly over 1 MPG. In an energy simulation I performed while working at MEPA, the worst case scenario of maximum physical energy losses throughout the system, at least 25% of the energy could not be accounted for. Therefore, it appears reasonable based on available evidence and the absence of any energy loss prevention program at the T to assume that energy theft was then and still is in the range of 20-25% or more.

The total traction/non-traction MBTA energy use of \$20 million a year could be trimmed by 20% by monitoring against theft and getting the system back to comparable energy efficiencies of the late 1970s (excluding the old MBTA steam boiler plant.) Such efficiencies represent a savings of \$4 million a year.

Currently, the MBTA is proposing to expand its power generation and get back into the power generation business. Under the claim that the "MBTA's emergency power requirements have increased," the MBTA proposed a 13-fold increase in power generation at South Boston. Given the T's inability to monitor and control power losses in the past, there is reason to believe that the return venture into MBTA power generation will produce an even greater loss of energy in the system.

===== TOTAL EFFICIENCY BENEFITS =====

Overall, this program represents a \$21.6 million increase in revenues, which is comparable to the fare increase revenue goal of \$21 million. Some allowance should be made for the costs of implementing an energy and operational efficiency program. A total budget of \$600,000 a year might be planned for the following elements :

- * A Ridership Consortium composed of non-MBTA personnel, such as Advisory Board, APT, and citizens. It would coordinate the organizing, monitoring and data processing of sample trip sheets (trip data recorded by volunteer commuter/travelers). Information results would include average speeds, train loadings headways, and variations in loadings, headways, and speeds. Extensive sampling over several months would demonstrate the effectiveness of any management efforts to regulate headways and speed variations.
- * A defined function for platform train starters, emulating the skills of past eras in keeping trains on schedule and from becoming overloaded.
- * A computerized monitoring system which would let managers and carmen know what their headways were and how much slippage was occurring. This information would be communicated either verbally or through instrument dials and lights.
- * An MBTA energy efficiency office, operating in an inspector general function. It would simulate and monitor MBTA energy use, and generate historical trends on MBTA energy efficiency, going back as far as records allow. It would study the energy efficiency of other cities such as Tokyo and Toronto, to compare energy use. It would also include metering and monitoring energy use and checking for any illegal connections.

By contrast, the MBTA proposed fare increase would result in a decrease in ridership. The 1982 fare increase cut ridership by more than 10%. A vigorous operations efficiency program would generate both new revenue and increased ridership, with a growth of 15% in ridership in the program outlined above.

In summary, the efficiency and fare increase alternatives would both generate about \$21 million in additional revenue, but the efficiency program would generate a 15% increase in ridership, while the fare increase program would produce a ridership drop of at least 5%.

===== PROCESS AND PROCEDURE =====

The 1980, 1982, and 1989 fare increase proposals all proceeded without any consideration of efficiency improvements. So far, this 1991 fare proposal has followed the same path.

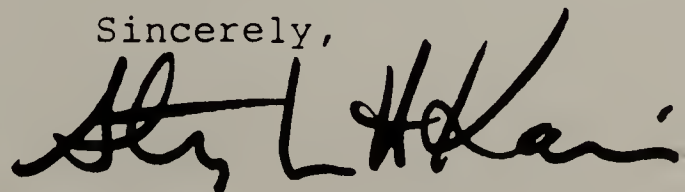
Shoveling more money into the existing MBTA is not the answer. Now is the time to consider efficiency alternatives, and to do so in an open, participatory manner. The best option is to use the MEPA process to consider the alternatives, but the process must be corrected for the interference in the Citizens Advisory Committee by former transportation officials.

I would recommend the creation of an advisory group similar in openness and breadth to the Artery Bridge Design Advisory Committee. Participation cannot be vetoed by the MBTA, as it has in the past. There should be no waivers from the MEPA process, nor allowance for the MBTA to increase fares, and study alternatives later. The last concession to the MBTA in 1989 produced inadequate EIRs, and a conclusion by the Citizen's Committee that the report should be found inadequate because of its poor discussion of fare policy alternatives. This letter was withdrawn under major pressure from the former EOTC Secretary, who directly meddled in the advice which a committee was trying to give to the Secretary of Environmental Affairs.

The MBTA has worn out its welcome in terms of preferential treatment from MEPA. There should be no deal to allow a fare increase to proceed on an accelerated basis. The alternatives of increased efficiency are too vital and compelling for anyone to accept the "easy" way out of simply increasing fares. We are now looking towards a future of considerable construction challenges from the Central Artery project and its associated disruption of traffic patterns. For this critical period, we must have an efficient MBTA.

Therefore, I strongly recommend that the MEPA response to the MBTA fare increase ENF be the requirement for an orderly Environmental Impact Report prior to any MBTA action on fares. A comprehensive Advisory Committee to EOEA should be set up to deal with fare and efficiency developments.

Sincerely,



Stephen H. Kaiser, PhD
Traffic & Transportation Engineer

cc. Steven Chait, APT
Ann Larner, Advisory Board

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RECEIVED
MAY 10 1991

MEPA

Department for
Environmental

I am concerned about MBTA fare increases, planned and also those already hidden in the system that have not received the proper reviews.

I believe that the increases involved in project #3804 certainly cannot be allowed to take place without a proper settlement of the following fare increase built into and hidden in the present method of fare collections ("experimental") used on the Framingham and Lowell commuter trains, and planned to extend to all the commuter trains:

A considerable number of train riders have, since spring and summer of 1990, been subjected to a 100% fare increase by being forced to pay double fare, whether returning by that train, or by any train at all. This presently occurs on the Framingham and Lowell trains. To be submitted to a fare raise on top of that is unthinkable and unbearable.

If the "T" wants to cut down on conductors and encourage off-train fare collections, there are other ways to do that. Many would gladly buy all tickets in the Back Bay and North/South Stations, even starting immediately.

The "T" has left no option for the one way rider, and the multitudes of those who believe in public transportation for various and irregular, but frequent errands, appointments, and visits.

The use of that system on the Riverside subway is unfortunate and questionable, but has gone on for approximately 12 years. The system certainly does not work where the fares are already considerable, as on the commuter trains; the loss to the one way traveler is considerable.

The "T" is concerned with making up the difference if certain passengers go free (in the direction the fare is not collected); the loss from freeloaders is certainly made up -- by those who pay double and take a personal loss. Many who are affected are those who cannot bear this loss: senior citizens, students, those who do not speak English and do not even understand what the inflated fare means (roundtrip fare is renamed "full" fare), mothers with children, etc.

The "T" is blocking access and discouraging casual, frequent inter and intra city/town use of public transportation which cuts down on the use of the car, and increases the "T"'s income taken from fares.--this increase in fare income taken in a sound way, from increased use of the public transportation, rather than at the expense of a considerable number of users, unjustly.

The use of roundtrip fare collections to speed traffic at tunnels or bridges is not relevant. See supporting materials. I have filed fail-safe request; this trial of roundtrip-only fare collections on trains run by the "T" must be stopped immediately; there are other immediate solutions such as one ways purchased in Back Bay stations.

Andy Hamilton
1000

April 18, 1991

James Rooney, General Manager MBTA

Dear Mr. Rooney:

I am forwarding to you a copy of an original petition that I took this past Tuesday on the short one way ride from Natick to Back Bay on the Framingham Commuter Train. People in general are very upset over the roundtrip only policy; -One woman was going from Framingham to Boston, changing to the Lincoln route - she was irrate. Two others were travelling with kids to be met in Boston. We can not afford this policy. (For your information, I was on the noon train)

I have thought of a simple solution to your wanting to cut down on conductors: sell one way tickets only, and only off the train (before boarding). Certainly two conductors, one at each boarding door, can accept a prepaid ticket - and those wishing to go round trip can prepurchase two tickets. Tickets can be sold like postage stamps, at a centralized place as at Back Bay, North Station, and South Station. You may want a few self-operated vending machines, as with stamps and newspapers.

The above would make us all happy and is the only fair way. Please try to help us. Metropolitan Area train travel exists for many reasons, not only for a regular rush hour round trip commute. You would also be helping yourself, as your "not regular" but "frequent" users of trains, of public transit, would be encouraged to use it often. I truly cannot afford to pay five dollars from Natick for my one way; the zone 4 fare is \$2.50. People at both ends of the line are unhappy. This experimental policy is in effect on the Lowell and Framingham lines. Instead of increasing the use of the policy, please consider another solution, as the one I have outlined above.

Enclosed is the petition mentioned of your very much needed non-commuter but frequent customers. Please help. Mr. Duvall seems to be inflexible.

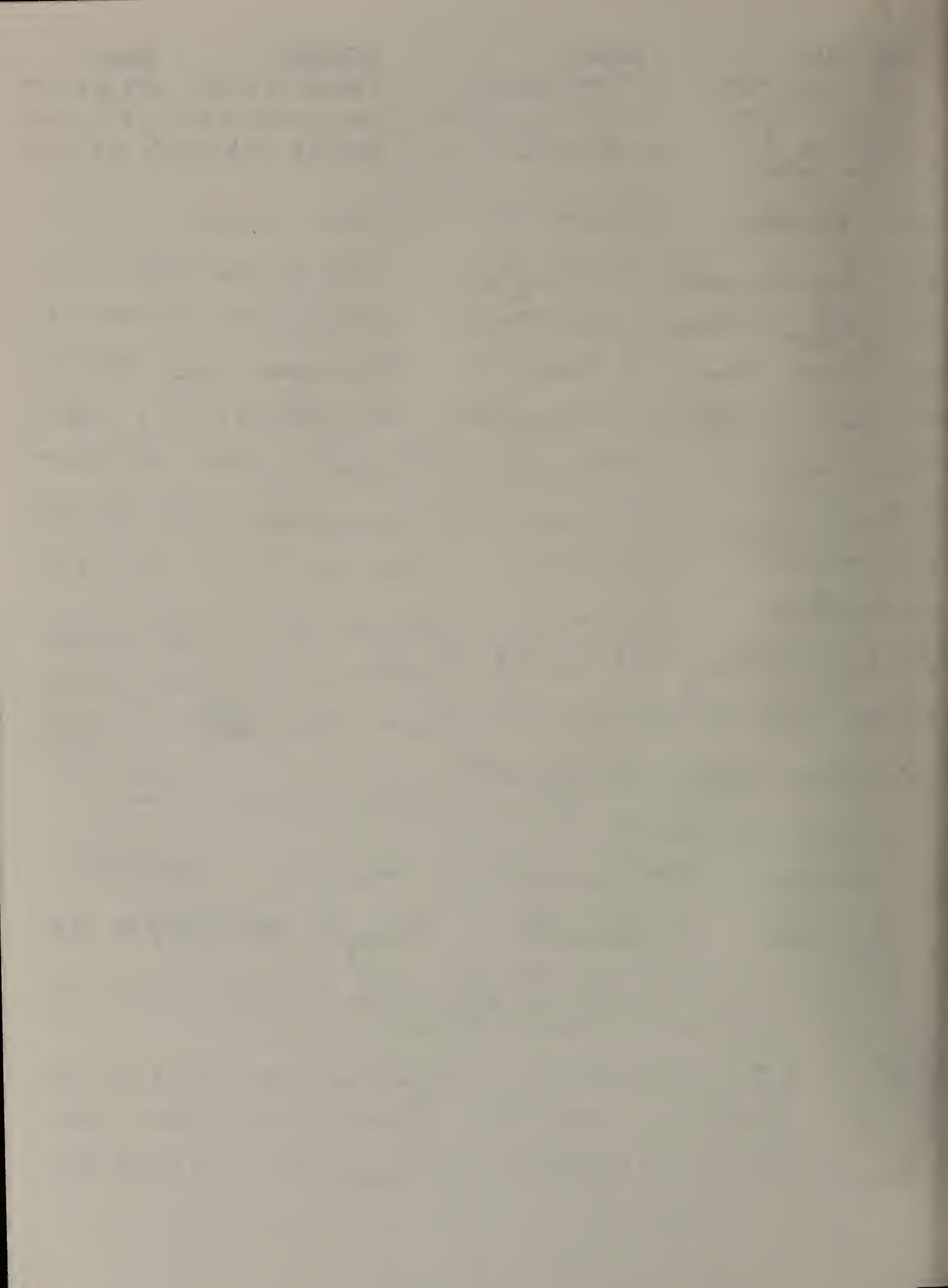
Sincerely yours,



Ann Johnson
107 West Central Street
Natick, MA 01760

phone: 508 655 1199

DATE	NAME	ADDRESS	CITY/TOWN	PHONE
7/16/91	A. Johnson	107 West Central St.	Natick, MA 01760	508 655 1199
4/16/91	W. Alfano	142 FRANCONIA AVE	NATICK, MA 01760	653-3168
4/16/91	P. Baker	38 Pond St.	Natick MA 01760	653-632
4/16/91	R. D. Hellweg	17 Lokenza Gars	Natick 01760	
1/16/91	Dave Campbell	2 Noddy Ln	NATICK, MA 01760	655-
1/16/91	Jiffy B. Warren	56 OAKTREE Dr.	Milford, MA 01757	408 473-
1/16/91	DENNIS BEAN	41 BEACON ST.	FRAMINGHAM 01701	872-415
4/16/91	Greg A. Florn	1630 Worcester Rd	Framingham 01701	678-95
2/9/91	C. Loney	20 Forslund Rd	Princeton 01541	508 464-295
1/16/91	Madison Desin	61 Irving St	Frammingham 01701	(508) 878-6
1/16/91	Mark Stahel	109 Waverly St.	Fram. MA 01701	508-872-
1/16/91	Sean Stahl	109 Waverly St	fram ma. 01701	(508) 872-1505
1/16/91	Jaclyn McKenney	Shirley Rd	Sudbury MA	508 443 033-
4/16/91	Jared Foster	776 Grove St	Fram. Ma	(508) 77-600
1/16/91	FRANK B. Burt	731 PATTEN DR	"	—
1/16	Leslie J. Nicastro	146 Willing St	Marlboro, Mass	—
1/16	Mike Schenat	56 Meetinghouse Path	Ashland, MA	508/881-1322
1/16	Joy Whitkin	15 Donna Rd	Framingham, MA	(508) 879-3341
1/16	AT COURT. 1015 WALK AVE Whitefield 01886 I came to FRAMINGHAM by train once a month. I get a ride back what should I pay for 2. miles			
1/16	Jim Aschety	9 Oakleaf Dr.	Framingham MA	108-872-3957
1/16	Jamie Stewart	32 Lincoln Rd.	Sharon, MA	01907 781-
1/15	Marquitta Wedder	10 Royce St.	Framingham	508 879.253



7/16/91	B.P. Klee	598 Prentice	Holliston	UNLISTED
4/16/91	W. Andrews	Somerville		unlisted
4/16/91	M. Chalfin	Framingham	11 MYRNA RD.	—
4/16/91	A. Chaffin	59 Fisher St	Natick	—
4/16/91	J. Hegarty	12 Woodward Rd.	Framingham	—
4/16/91	S. Schegler	Bates, Wellesley College	Wellesley	—
4/16/91	Manu B. Hawthorn	16 Larkspur	Natick	—
4/16/91	Fatma Odeh	Page Farm Rd	Shelborn	—
4/16/91	Juanita K. K.	4830 Iden Ball Rd.	Weston	—
4/16/91	James S. Hall	24 Brewster Road	Wellesley	—
4/16/91	Richard B. Cyprian	8 Crest St.	Wellesley	—
4/16/91	James J. Lin	162 Davis Hall	Wellesley College	—
4/16/91	E. J. O'Leary	654 Ave	Natick	—
4/16/91	P. Hankins	99 Brattle	Cambridge	—
4/16/91	Mary Jo Ondrechen	2366 Comm Ave	Auburndale	969-634
4/16/91	Kellie G. Gilling	2366 Comm Ave.	Newton	—
4/16/91	Laura Brewer	417 Newtonville Ave	Newtonville	unlisted
4/16/91	Tom Frank	6 ARLINGTON ST	BOSTON	247-381
4/16/91	M. Amos	109 W. Huntington Rd.	Newton	—
4/16/91	K. Ambrose	46 Irving St	Framm	—
4/16/91	John Cheney	83 Lake Street	Lynn	284-45
4/16/91	Steven Bessell	45 Pincushion Rd	Fram	28626.24
4/16/91	Edmund F. T. T.	77A Elm St	Natick	—



SIERRA CLUB
Greater Boston Group

3 Joy Street
Boston, MA 02108

RECEIVED
MAY 27 1991
MEPA

May 28, 1991

Ms. Susan F. Tierney
EOEA
100 Cambridge Street
Boston, MA 02202

Re: ENF # 8684 - MBTA 1991 Fare Increase

Dear Ms. Tierney:

The Greater Boston Group of the Sierra Club does not think an ENF is sufficient for the proposed fare increase.

Since the last fare increase was only in 1989, we feel that an increase so soon after requires an Environmental Impact Report.

Thank you for your consideration.

Sincerely,

John F. Deacon
Transportation Chair



Cambridge Citizens for Liveable Neighborhoods^{Inc.}

P.O. Box 19 Cambridge MA 02238 (617) 854-5670

May 23, 1991

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MAY 29 1991

MEPA



Fare Policy Committee
Massachusetts Bay Transportation Authority
Transportation Building
10 Park Plaza
Boston, MA 02116

Re: Proposed MBTA Fare Increase EDEA #8684

To Whom It May Concern:

Cambridge Citizens for Liveable Neighborhoods, Inc., is a tax-exempt, non-profit organization of Cambridge residents who are concerned about development and transportation issues in the city of Cambridge.

We are concerned that the magnitude of the proposed MBTA fare increase will discourage transit ridership and result in increased automobile use in Cambridge and greater Boston.

We are also concerned that the proposed increase, as it is now structured, is a tax on MBTA users which will not be used to finance the MBTA's actual operations. We believe that it is inappropriate to pass such a tax on to transit riders unless automobile users' fees are also raised at the same time.

We urge that a full environmental impact review of this fare increase should be submitted for public comment, and approved by the Secretary of Environmental Affairs, before the proposed increase is implemented.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Daniel E. Geer, Jr." with a stylized flourish at the end.

Daniel E. Geer, Jr.
President

DEG/cb



Commonwealth of Massachusetts
Executive Office of Environmental Affairs

**Department of
Environmental Protection**

Daniel S. Greenbaum
Commissioner

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MAY 23 1991

MEPA

MEMORANDUM

TO: Secretary Tierney, EOEa

ATTN: Jollene Dubner, MEPA Unit

FROM: Christine Kirby, *CK* DEP/DAQC

DATE: May 21, 1991

SUBJECT: EOEa No. 8684 - MBTA 1991 Fare Increases

The Division of Air Quality Control (DAQC) has reviewed the Environmental Notification Form (ENF) for the proposed MBTA 1991 Fare Increases in terms of its traffic-related air quality impacts. Based on this review, DAQC offers the following comments. The purpose of air quality analysis is to predict and analyze traffic-related ambient air quality that may be expected to occur as a result of the project under worst case conditions for both Option 1 and Option 2.

Option I

Increase bus fares from 50 to 60 cents
Increase subway fares from 75 to 85 cents
Increase commuter rail fares by 11 to 25%
Increase pass prices by 13 to 28%
Increase fares for senior citizens and persons
with disabilities from 10 to 25 cents

Option II

Increase bus fares from 50 to 60 cents
Increase subway fares from 75 cents to \$1.00
Increase commuter rail fares by 11 to 33%
Increase pass prices by 13 to 23%
Increase fares for senior citizens and persons
with disabilities from 10 to 25 cents
Provide a bulk token discount of 10 tokens for \$7.50

It is necessary to determine if either fare increase will interfere in attainment of the National Ambient Air Quality Standards (NAAQS) for carbon monoxide CO and Non-Methane Hydrocarbons (NMHC precursor to O₃). The proponent should consult with DAQC in order to identify parameters and inputs to be used in the microscale and mesoscale air quality analyses.

Should you have any questions regarding this memorandum, please contact Jon Anderson at DAQC 556-1032.

cc: James Neely, DAQC
Donald Kidston, MBTA

JA:dep



Metropolitan Area Planning Council

60 Temple Place, Boston, Massachusetts 02111 617/451-2770

serving 101 cities and towns in metropolitan Boston

May 16, 1991

The Honorable Susan F. Tierney, Secretary
Executive Office of Environmental Affairs
MEPA Unit
100 Cambridge Street
Boston, MA 02202

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MAY 22 1991
MEPA

Project Name: MBTA 1991 Fare Increase
ENF-91-73 EOE 8684
Project Proponent: MBTA
Location: Eastern, MA Date Received: 5/2/91

Dear Secretary Tierney:

The Metropolitan Area Planning Council regularly reviews proposed developments deemed to have regional impacts. These proposals are reviewed for compliance with MetroPlan 2000, the regional plan for the Boston Metropolitan area, as well as their impact on the environment. The Council encourages MEPA to ensure that the mitigation comply with MetroPlan 2000.

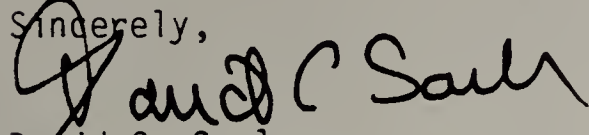
The Project Review Committee and the Executive Committee have both struggled with the merits and the impacts of the current proposals by the MBTA to increase fare revenues. It is clear from these discussions that there is a desire to secure needed funds for the MBTA. There is also a strong commitment to the environmental review process which requires the documentation of the environmental impacts of these proposals.

The ENF has presented very compelling facts and figures which indicate that MBTA fares have lagged behind the consumer price index, behind fares in other metropolitan transit systems, and behind the cost to the MBTA of providing these services. The document also indicates that these proposals follow concerted efforts to minimize all costs, maximize non-fare revenues, and maximize the equity of the proposed fares.

However the ENF has not devoted the same level of attention to the impacts of the proposed fare increases. We find that we need to work from the comprehensive fare plan which was requested of the MBTA by EOE as a precondition for any subsequent fare increase ENF.

It is the position of this agency that a comprehensive fare plan should be developed and submitted as a supplement to the 1990 fare increase EIR rather than as a new EIR. This would expedite needed actions by avoiding a new draft EIR.

Sincerely,



David C. Soule
Executive Director

DCS/KS/mlm

cc: Donald Kidston, MBTA
MBTA Advisory Board
Carol Blair
Ed Bates
Kent Stasiowski

MS\EASTERN

